Tuesday, August 6, 1957

LOK SABHA DEBATES

Second Series

Volume IV, 1957

(27th July to 8th August, 1957)

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SECOND SESSION, 1957

(Vol. IV Contains Nos. 11 to 20)

LOK SABHA SECRETARIAT
NEW DELHI

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N.B.—The sign + above a name of a Member on Questions, which were orally answered, indicates that the Question was actually asked on the floor of the House by that Member.

LOK SABHA

Tuesday, 6th August, 1957.

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Ariyalur Railway Accident

*650. **Shri D. C. Sharma:**
Shri Tangamani:
Shrimati Parvathi Krishnan:
Shri T. B. Vittal Rao:

Will the Minister of Railways be pleased to refer to the replies given to Starred Question No. 146 on the 20th May, 1957 and Unstarred Question No. 514 on the 31st May, 1957 regarding the Ariyalur Railway Accident and state:

(a) what further steps have been taken towards implementing the recommendations of the Inquiry Commission;

(b) whether steps have been taken against the officials found guilty;

(c) if not, the reasons for the delay; and

(d) the amount so far disbursed on claims in connection with this accident?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) The Southern Railway Administration have taken action on all the recommendations made by thte Commission on the lines indicated in the directive issued except in two items (i.e. items K. & M.) which are under active consideration. A statement showing the action taken is laid on the Table of Lok Sabha. [*See* Appendix II, annexure No. 77].

(b) The Commission of Inquiry did not hold any official responsible for this accident.

(c) Does not arise.

(d) Rs. 9,34,940|47 upto 29-7-57.

Shri D. C. Sharma: One of the recommendations made was for fitting a glass to the engines to make it possible for the drivers to see through the glass especially during rain. May I know how long it will take the Railway Administration to fit these glasses in the engines?

Shri Shahnawaz Khan: There is already a glass fitted. They have recommended a different type of glass. But the matter is under consideration and we feel that the existing glass is quite good enough.

Shri D. C. Sharma: It has been suggested that the Railway Administration should write out notes regarding river training and other things. May I know if the necessary notes with regard to all these rivers have been written out and are they available to the drivers and others for use?

Shri Shahnawaz Khan: Certain recommendations have been made regarding training and other protection works. Whatever data is there is made available to the persons who need it.

Shri Tangamani: In the statement laid on the Table there are only 16 recommendations......

Mr. Speaker: Hon. Members should always face the Chair.

Shri Tangamani: There are only 16 recommendations mentioned here in the statement But in the Enquiry Commission's Report, pages 173-178, there is mention about indifference and inaction on the part of officials and that also the Divisional Engineer, and the Assistant Engineer violated rule 1425 of the Way and Works Manual and that the officers of the P W D showed an utter lack of sense of responsibility which attaches to the office etc These are the observations made by the Commission May I know whether any action is contemplated against the Divisional Engineer, the Assistant Engineer and the P W Inspector and his assistant?

Shri Shahnawaz Khan: The Commission did pass some adverse remarks in respect of certain officials concerned The explanations of those officials have been called for by the General Manager and they have been forwarded to the Railway Board The Railway Board are going to act more or less on the precedent of the Bhita accident and they will appoint an officer to fix definite responsibilities

Shri B S. Murthy: Did not the Enquiry Commission have the evidence of all these officers before they passed such adverse remarks? If so, why should another officer be appointed to go into the matter?

Shri Shahnawaz Khan: We are studying their explanations and it has to be established that those officers are really responsible for that accident

Shri Tangamani: The hon Minister said that Rs 9 lakhs and odd have been dispersed May I know what is the amount claimed and what is the balance to be dispersed up-to-date?

Shri Shahnawaz Khan: The claims are submitted to the Claims Commissioner I do not know the amount There are certain rules and regulations for paying compensations

Mr Speaker: The hon Minister gave information that about Rs 9 lakhs were dispersed Is it not legitimately expected that the hon Minister may be asked as to what exactly was the total amount of the claim? From the source from which he gathered the information that Rs. 9 lakhs and odd have been dispersed he must have this information also.

Shri Shahnawaz Khan: Generally, if I may say so and I may be excused for saying so, very exaggerated claims are made It is for the Claims Commissioner to decide

Mr. Speaker: Whatever that might be, what is the total amount of the claim? (*Interruption*) He is not able to give that information

Shri Ranga: Have Government considered the deleterious effects of this inordinate delay in coming to a decision as to the disciplinary action to be taken against those officers against whom the Commission has passed strong strictures?

Shri Shahnawaz Khan: If I may respectfully submit, there is no inordinate delay The Commission have passed certain adverse remarks against certain officers We are taking action and we want to be quite sure that those people are really responsible for that accident.

Shri Ranga: Are you going to appoint another Commission?

Shri Shahnawaz Khan: We are in consultation with the Ministry of Law and we will take whatever action is called for

Dr Ram Subhag Singh. May I know the nature of the negligence shown by the responsible officers for which the adverse remarks have been passed by the Commission and whether, at the time of appointing the Commission, the Government had thought that the recommendations made by the Commission would be given effect to or not?

Shri Shahnawaz Khan: Whatever the recommendations are, we will certainly try to carry them out to the extent it is necessary

Shri T. B. Vittal Rao: In one of the recommendations the Commission say that the length of beat patrol men should not exceed 3 miles and a similar recommendation was made by the

Inspector of Railways who enquired into the Jangaon accident. But I find here that it is not laid down absolutely. It is only qualifying; 3 miles in case there is rain fall etc. Other things are being taken into consideration. Why not fix an absolute three mile limit for a beat?

Shri Shahnawaz Khan: From the experience that has been gathered by working over such long periods, we are fixing whatever is essential, keeping in view the recommendation made by the Commission.

Mr. Speaker: During rains people may not be able to go all the distance of five miles, but during ordinary time they may be able to go five miles. On the floor of the House we cannot decide whether it is three or five miles.

Salem-Bangalore Rail Link

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*651 { **Shri T. B. Vittal Rao**:
Shri Doraiswami Gounder:

Will the Minister of **Railways** be pleased to refer to the reply given to Starred Question No. 143 on the 20th May, 1957 and state:

(a) whether the engineering survey of the Salem-Bangalore rail link has since been completed;

(b) if so, whether the Railway Board have examined the same; and

(c) the nature of the decision taken thereon?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) The field work has been completed. The recess work is in progress.

(b) and (c). Do not arise.

Shri T. B. Vittal Rao: It took something like two years to complete this survey. May I know when actually the report will be received by the Railway Board?

Shri Shahnawaz Khan: It is a fairly lengthy survey of 124 miles and details have to be worked out. I may also submit that there was a certain shortage of trained engineers, and that was to some extent responsible for this delay. We are hoping to receive the report by October.

Shri T. B. Vittal Rao: Every time this question is asked they say, it will be received in May, in July and now in October. There must be some time limit for submission of reports.

The Minister of Railways (Shri Jagjivan Ram): We cannot put any time limit on these things. The engineering survey was commenced on 15th February, 1956. We have shortage of technical staff. In order to have some priority of surveys conducted we had to transfer some engineers from this work. The report is expected to be received by the end of this month and final report by the end of October. I do not think there has been any inordinate delay.

Shri Dasappa: May I know whether the survey of the Salem-Bangalore line takes note of the fact that important places like Anekal, Dharmapuri, Hosur and Krishnagiri are situated in this area and that the railway line will pass through these towns?

Mr. Speaker: The hon. Minister cannot be expected to know all the stations. I myself am not able to know them though I have visited that area very often. Information for such detailed questions may be had by writing to the hon. Minister.

Some hon. **Members** *rose*—

Mr. Speaker: Shri Dasappa—I will call people interested in Salem or Bangalore area.

Shri Dasappa: May I know how many surveys are being conducted with regard to connections with Bangalore, apart from the Salem line; when they have been started and how long will they take to be completed?

Mr. Speaker: Is it not enough to have trouble with one link?

Shri Dasappa: Surveys started much earlier than this have been completed.

Mr. Speaker: Does not matter. We are concerned only with this; even this is somewhat loose.

Shri S. V. Ramaswami: Out of the 124 miles, 50 miles will be on the old embankment of the dismantled railway line. May I know what is the delay in completing the report about the balance of the line which will hardly be about 60 or 70 miles?

Shri Shahnawaz Khan: I know how anxious hon. Members are for this line, but I may tell them that this line is not included in the lines to be constructed during the Second Five Year Plan.

Manufacture of Railway Wagons

***652. Shrimati Tarkeshwari Sinha:** Will the Minister of **Railways** be pleased to state the progress made in the licensing of Indian engineering firms for the manufacture of Railway wagons?

The Deputy Minister of Railways (Shri Shahnawaz Khan): Out of 15 firms selected by the Railway Board for the development of additional indigenous capacity one has withdrawn, two have expressed their inability to take up the order for the present and out of the remaining 12 firms, licenses have been granted to 10 firms.

Shrimati Tarkeshwari Sinha: May I know how much of the requirements will be met by these firms which have been given licences, when they will be likely to go into full production, and what percentage of output they will be bringing about?

Shri Shahnawaz Khan: We hope that when all these firms start producing wagons by the end of the Second Plan period we shall have an annual output of 36,000 wagons, and that would be enough to cope with all our requirements.

Shrimati Tarkeshwari Sinha: May I know what steps, apart from giving licences to these firms, have been taken by the Government on the recommendations of the Railway Equipment Committee as recommended by the Estimates Committee in their Seventh Report?

Shri Shahnawaz Khan: This was one of the recommendations of that committee. Other steps also have been suggested by them, like sidings to their factories, deputing railway engineers to go and advise them, try and procure track material for them and help them in every possible way.

Shri Feroze Gandhi: May I know why there is a difference in the price of a metre gauge covered wagon and a metre gauge open wagon of only Rs. 400 when in the cost of steel itself there is a difference of about Rs. 900? May I know why it is licensed at this price? This is in answer to question No. 452 asked by me some time ago.

Mr. Speaker: This is 652. I have not been able to follow the hon. Member.

Shri Feroze Gandhi: What I mean is this. Licences are given to firms not on the basis of tenders received but by negotiation. In para 72 of the Twenty First Report of the Estimates Committee they say that the price and other contract terms are finalised by the Railway Board by negotiation with the firms concerned. If the Railway Board accepts firms for giving licences by negotiation, I would like to know why the difference in the cost of a metre gauge covered wagon and a metre gauge open wagon of high sides is only Rs. 400 whereas the difference in the cost of steel itself would be something like Rs. 800 to Rs. 900.

The Minister of Railways (Shri Jagjivan Ram): I would require notice to answer that question.

Shri Feroze Gandhi: There are four firms that have been added on since then, but there were eight firms previously. May I know how many retired members of the Railway Board have joined these firms after retirement, the firms that are supplying wagons to the Railway Board?

Shri Shahnawaz Khan: We do not keep any statistics of who joins which firms. Whenever any experienced railway officer is available and the firms are keen to take him, I think he will be serving the nation usefully by getting himself employed in such firms.

Shri Tyagi: It is most undesirable.

Shri Jagjivan Ram: I may supplement what has been stated by my colleague. One case came to my notice where a railway officer against whom some adverse remarks were made in the Railway Ministry was intimately interested in a firm. I have stopped the orders to that firm.

Mr. Speaker: Is it a suggestion by the hon. Member that while in office they negotiate for wagons with the firms and then go and join them?

Shri Feroze Gandhi: This is a very important matter. I do not want to argue anything.

Mr. Speaker: I only want to know the relevancy, what the hon. Member is driving at. Does he mean to say that those persons who are competent authorities to give orders for wagons give orders to such firms in the expectation of their being absorbed by them after their superannuation?

Shri Feroze Gandhi: May I answer the question?

Mr. Speaker: I am not putting any question. Is that the intention, or is that what the hon. Member wants to know?

Shri Feroze Gandhi: What I wanted to know was this. The Railway Board apparently do not invite tenders. The price and other contract terms are finalised by the Railway Board by negotiation with the firms concerned. These officers who are in the Railway Board know all the secrets of the Railway Board. They know all the things that go on in the Railway Board Immediately they leave the Railway Board they join these firms. They are the very people who are negotiating with the Railway Board. This I think is objectionable. I wanted to know whether it is a fact, whether these officers have joined these firms.

Shri Jagjivan Ram: I will answer that point. As my hon. friend is aware the names of the companies were recommended by the Railway Equipment Committee. It is not that the Railway Board on its own account negotiates with certain companies regarding the prices. As to which were the firms which were likely to be entrusted with the work of manufacturing of wagons was decided by the Railway Equipment Committee itself. It is along with those firms that the Railway Board negotiates. It is not desirable, I agree with the hon. Member, that if there is any officer of the Railway Board who is on the Railway Board or in the Railway Ministry, and prior to the negotiation starts a particular company, he resigns or retires from the Railway Board and joins that firm. That is not desirable.

As I have said, one instance came to my notice where some cases were pending against one officer and he joined a company. When it came to my notice, I had stopped the order.

Shri Ranga: Is there any time-limit fixed for any member of the Railway Board who retires from the Railway Board, to prevent him from joining any of the firms dealing with the Railway Ministry, so that such things would not happen?

Shri Jagjivan Ram: I am not quite sure, but when they join any private firm, they have to take the permission, I think, from the Railway Board; during their leave preparatory to retirement.

Shri A. C. Guha: May I know if there is any rule that if any retired officer at least within two years of his retirement is to join any private firm which might have to deal with the Railway Ministry, he would have to take permission from the Ministry, and may I know whether the firms with which the orders have been placed have taken any of the retired officers? May I also know whether a list of those firms can be placed on the Table of the House? The entire list of firms which have got the contract and which have taken any of the retired officers of the Railway Ministry may be placed on the Table of the House.

Shri Jagjivan Ram: The hon. Member is aware of the rules because he was till recently in charge of that Ministry. He was himself concerned with those rules. As I have said, there is a rule like that—namely, when any officer during his leave preparatory to retirement wants to join a private firm, he has to take the permission of the Ministry concerned.

Shri A. C. Guha: How does the Ministry give permission? That is the point.

Shri Jagjivan Ram: I am not in a position to say at present how such permission is given; as regards officers who are interested in some of these companies, or not, or, whether some retired officers had joined or not, I have no information at present. I shall look into the matter.

Mr. Speaker: Next question.

Shri A. C. Guha: May I have the list of the firms which have taken the retired officers?

Mr. Speaker: I have called the next question.

Shri T. B. Vittal Rao: The list of all firms in which the officers are employed.

Shri A. C. Guha: Particularly all those which might have employed officers after retirement.

Mr. Speaker: The hon. Member will follow the question and answer. The hon. Minister says only one case came to his notice. The hon. Minister has to make enquiries and find out what exactly is the position, how many persons have applied for permission and how many permissions were granted, whether those officers continue to be there, etc. All these are matters which he has to enquire into. Hon. Members who are interested further in the matter may give notice of a separate question.

Shri A. C. Guha: When the orders were placed not on tender but on negotiation, I think the whole list of firms may be placed on the Table of the House.

Shri Jagjivan Ram: I will refer my hon. friend to the report of the Railway Equipment Committee. There, the names of all the firms appear. As I have said, it is not any other firm which does not find place in the report of the Railway Equipment Committee, with which the Railway Board is negotiating with.

Some Hon. Members *rose*—

Mr. Speaker: He has not got all the information. Why should the hon. Members tack on all these matters by way of supplementary questions, where some investigation is necessary? They cannot catch hold of some question here for such supplementaries. Let them table a separate question. I shall put it as unstarred and then they will get all the information. First of all, the hon. Member may get the information and then they might think of manipulating that question.

Late Delivery of Telegrams

***653. Shri S. C. Samanta:** Will the Minister of **Transport and Communications** be pleased to state:

(a) whether a large number of complaints have been received, since 1956, that telegrams reached or were delivered to the addressee after the letters mentioning the telegrams were delivered;

(b) what steps have been taken in the matter; and

(c) what are the reasons for the delay?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) 2713 such complaints were received during the period from 1-1-56 to 30-6-57.

(b) The following steps were taken in the matter:

(1) In cases where service fault was established, telegraph charges were refunded to the senders

(2) Officials responsible for negligence were suitably dealt with

(3) Line faults were rectified

(c) The grounds for such happenings are.

(1) Mutilation of addresses

(2) Line interruptions

(3) Incomplete addresses furnished by the senders

(4) Non-availability of porters for delivering of telegrams in villages beyond the free delivery radius

(5) Place of delivery being beyond the free delivery radius

(6) Shortage of staff in telegraph offices

(7) "Go slow" movement launched by Telegraphists

(8) Heavy Absenteeism due to "flu epidemic"

Shri S. C. Samanta. May I know whether it is a fact that the line fault cannot be corrected very soon, as in many cases the line lies in different divisions?

Shri Raj Bahadur: In whatever division the line may lie, each one of them is allotted, for maintenance and upkeep, to a particular officer, and it is essentially his charge and duty to see that the line fault, wherever it occurs, is rectified without any delay

Shri S. C. Samanta: In border lines, where two divisions meet, is it not the fact that those linemen who are small in number, as the hon Minister has said, cannot have contact with the divisions? May I also know whether on that ground Government is going to redistribute the lines so that they may lie in one single division?

Shri Raj Bahadur: I will examine that position if a specific case is referred to me I may state however that wherever a particular division ends, another division begins, so, that the entire area is covered either by one or the other of the two divisions

Shri Anthony Pillai: Is it not a fact that the alleged go slow movement was due to the complaint that the number of telegrams per employee has increased enormously during the recent period?

Shri Raj Bahadur: No, Sir There were four demands on which they started, or they claimed that they started the go slow movement I have explained that position more than once In case it is needed again, I shall take sometime of the House again,—to explain that once more

Shri R. Ramanathan Chettiar. May I know whether ordinary letters posted by the air mail reach Madras from Delhi quicker than an ordinary telegram?

Shri Raj Bahadur: That may be the experience of the hon Member in certain cases, but, by and large, the number of telegrams that reach in time is overwhelmingly larger than the number of telegrams that do not reach in time

Shri S. C. Samanta: Is it not a fact that in many telegraph offices there are no messengers to deliver the telegrams? May I know whether Government have taken this into consideration as one of the reasons and may I add that this is the ninth reason for the delay?

Shri Raj Bahadur· I have already mentioned that in certain cases we do suffer from shortage of staff on account of the want of trained hands.

Suburban Train Overcrowding Enquiry Committee

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*653. { **Shri Bahadur Singh:**
Shri Mohan Swarup:

Will the Minister of **Railways** be pleased to state:

(a) the recommendations of the Suburban Train Overcrowding Enquiry Committee that have been accepted by Government;

(b) the recommendations that have been implemented; and

(c) the reasons for not accepting other recommendations?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) to (c). A statement is laid on the Table of Lok Sabha. [*Placed in Library. See* No. S—169/57].

Shri Bahadur Singh: May I know, with regard to items 54 and 55 of the statement which are applicable to the Western Railways only, the recommendation by the Committee is that the frequency of services in the morning should be increased between 9 and 11-30 hours and in the evening it should be increased between 15-0 and 20-30 hours. The reason for not accepting it was that there was shortage of stock. I want to know the probable time by which the stock will be available.

Shri Shahnawaz Khan: The shortage of staff may be due to flu. As the hon. Member is aware, we have undertaken certain works in connection with the remodelling of station yards, platforms, etc. As soon as these works are completed, we will try to introduce more trains and increase the frequencies.

Shri Bahadur Singh: Item 32 is about foot-rests and handle-bars provided next to the buffers in the old EMU stock on the Central Railway which are to be removed to prevent passengers from riding outside the stock. It has been accepted thus: "The Central Railway has been asked to take necessary action". I want to know when these instructions were sent to the Central Railway and has the Government received any intimation whether they have taken any action or not by this time

Shri Shahnawaz Khan: There are 55 recommendations and it will take a long time to give information on each one of them. I could give them, of course. I can give the information to the hon. Member outside the House.

Mr. Speaker: This must have been admitted as unstarred question; somehow it has got in here. In regard to such questions, hereafter I will have to watch over them. In the first instance, they will be treated as unstarred questions. After the information is obtained, if any further elucidation is necessary, there may be a starred question.

Shri T. B. Vittal Rao: The report was submitted to the Government two years ago and it was under consideration. Naturally; to know what action has been taken, we will put a question and that has to be starred.

Mr. Speaker: The hon. Member wants to know (i) what are the recommendations, (ii) what are the recommendations that have been implemented and (iii) what are the reasons for not accepting the others. Shall we have a huge report here and carry on? Schedule A containing all the recommendations, Schedule B containing the recommendations that have been implemented and Schedule C containing detailed reasons why others have been rejected No doubt it has been admitted, but it must have been admitted as an unstarred question.

Lady Hardinge College, New Delhi

*656. **Shri V. P. Nayar**: Will the Minister of Health be pleased to state:

(a) whether it is a fact that no new admissions of boy students were made this year to the Lady Hardinge Medical College, New Delhi;

(b) if so, the reasons therefor; and

(c) whether any changes have been made in the administration of this College?

The Minister of Health (Shri Karmarkar): (a) and (b). It has been decided that no male students should, for the present, be admitted to the Lady Hardinge Medical College pending the decision of the Punjab High

Court on the writ petition filed by certain private persons. 100 students are being selected for admission to the composite Medical College based on the Irwin and other hospitals in Delhi. The sixty women students will be accommodated in the Lady Hardinge Medical College and separate arrangements will be made for the teaching of 40 male students.

(c) No.

Shri V. P. Nayar: In view of the fact that we have comparatively fewer number of women doctors in our country and the need for a greater number of women doctors, may I know whether Government will keep this institution exclusively for women students?

Shri Karmarkar: The whole question is under consideration.

Shrimati Renuka Ray: In view of the fact that women's organisations, including the All-India Women's Conference, have put forward the demand that this college should be kept reserved for women for the present, may I know when this consideration will be over?

Shri Karmarkar: We are trying to expedite that as much as possible.

Shrimati A. Kale: Is it a women's college or a mixed college?

Shri Karmarkar: Till last year it was a women's institution; this year, it was sought to be made a mixed institution.

Shrimati Parvathi Krishnan: If the matter is still waiting for the decision of the Punjab High Court, what was the purpose in recruiting the male students with a view to including them in this college later on?

Shri Karmarkar: On the merits of the question, it was decided that men students also should be admitted into this women's college. In the meantime, a civil suit was filed, a writ petition was filed, before the Punjab High Court. Pending that, naturally the Government has to wait for the decision of the High Court.

Dr. P. Subbarayan: What will be the position if the Punjab High Court decides that this institution will be kept exclusively for women students?.

Shrimati Parvathi Krishnan: That was what I also wanted to know.

Mr. Speaker: What is the hurry to recruit when the Punjab High Court is considering the writ petition?

Shri Karmarkar: The recruitment had already begun; what had gone on could not be stopped.

Shrimati Parvathi Krishnan: When the students were granted admission, at what stage was the writ petition filed before the High Court?

Shri Karmarkar: I am quite positive that the writ petition was made after we commenced our plan. That was the difficulty. If at the time the writ was filed our plans were not going ahead, we would not have gone ahead with the plans.

Shrimati Parvathi Krishnan: It is not a question of plan; it is a question of admission.

Mr. Speaker: They have started admitting and therefore they are continuing.

Export of *Lichis*

*657. **Dr. Ram Subhag Singh:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether Government have prepared any scheme to develop large-scale export of *lichis* to the U.S.A.;

(b) if so, whether that scheme included the setting up of any dehydration centres for dehydrating that fruit; and

(c) the approximate quantity of *lichis* which may be available per year for export?

The Minister of Co-operation (Dr. P. S. Deshmukh): (a) and (b). A scheme for setting up a pilot plant in U.P. for dehydration of *lichis* has been approved for developing export of dehydrated *lichis* to foreign countries, particularly U S A

(c) 20 maunds of *lichis* per year would be available for export, when the plant is put into operation

Dr. Ram Subhag Singh: The hon Minister said a pilot project scheme has been finalised for setting up a plant in U P May I know where that plant is going to be installed?

Dr. P. S. Deshmukh: At Saharanpur

Shri Tyagi: Unless it happens to be the seat of the Minister, unless that is the criterion, Dehra Dun is more suitable for *lichis*

Dr. P. S. Deshmukh. We could not help *lichis* growing there

Shri Kasliwal: Perhaps the hon Minister is aware that the word *lichis* is a Chinese word—*li* means branch and *chi* means hanging May I know in view of the predilections of U S A against China and everything Chinese, how far the exports to U S A. of *lichis* will be successful?

Dr. P. S. Deshmukh: I am prepared to accept the derivation of the word and its meaning from my hon friend Although the Chinese *lichis* may be very sweet, we claim our *lichis* are no less and we expect that they will be appreciated in the U S A I may also add that Saharanpur has been chosen, not for any other reason, except that there is a fruit research station of the U P Government there

रेल दुर्घटना

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*६५८. { **श्री राम शंकर लाल :**
श्री रघुनाथ सिंह :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि क्या यह सच है कि २६ जून १९५७ को ३९३ अप कानपुर पैसेन्जर ट्रेन पूर्वोत्तर रेलवे के सिवान रेलवे स्टेशन के यार्ड के निकट दुर्घटनाग्रस्त हो गयी थी जिसके कारण अनेक लोग हताहत हुए?

रेलवे उपमंत्री (श्री शाहनवाज खां) : २५-६-५७ को दिन में करीब २ बजकर ५२ मिनट पर जब नं० ३१३ अप (नं ३९३ अप नहीं) कानपुर सवारी गाड़ी सिवान स्टेशन में लाईन नं० ३ पर दाखिल हो रही थी, इंजन से पांचवे से लेकर नवें नम्बर तक के पांच डिब्बे कांटा नं० ६ पर पटरी से उतर गये। इसकी वजह से ४ आदमियों को मामूली चोट आयी।

श्री राम शंकर लाल क्या मै जान सकता हूं कि किस खराबी के कारण यह दुर्घटना हुई थी?

श्री शाहनवाज खां लौकिंग पिन होता है कांटे मे, उसमे कुछ नुक्स था। एक चाबी थी जोकि ढीली थी।

गुना–उज्जैन रेल लिंक

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*६५९ { **श्री राधेलाल व्यास :**
श्री त० ब० विट्ठल राव :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि

(क) क्या प्रस्तावित गुना-उज्जैन रेलवे लाइन का सर्वेक्षण पूरा हो चुका है;

(ख) क्या इस लाइन की सर्वेक्षण रिपोर्ट प्रस्तुत कर दी गयी है;

(ग) यदि हां, तो किन-किन रेलवे लाइनों के सम्बन्ध में सर्वेक्षण किया गया है; और

(घ) सर्वेक्षण दल की सिफारिशें क्या हैं और इस विषय में सरकार ने क्या निर्णय किया है?

रेलवे उपमंत्री (श्री शाहनवाज खां) : (क) जी नहीं।

(ख) जी नहीं।

(ग) नीचे बतायी गयी तीन लाइनों का यातायात (traffic) और इंजीनियरिंग सर्वे किया गया है—

(१) गुना-ब्यावरा-आगर-उज्जैन
(१७२.८५ मील)

(२) गुना-ब्यावरा-शाहजापुर-मक्सी
(१३४ ६६ मील)

(३) गुना ब्यावरा-आगर-नागदा
(१७३ ८३ मील)

(घ) अक्तूबर, १९५७ से पहले सर्वे-रिपोर्ट मिलने की उम्मीद नही है। सर्वे-पार्टी की सिफारिशो को बताने का रिवाज नहीं है।

Shri T. B. Vittal Rao: We cannot follow it

Mr. Speaker: The hon Deputy Minister may read the English answer also

Shri Shahnawaz Khan: (a) Yes, Sir

(b) No, Sir

(c) The traffic and engineering surveys have been carried out for the following three alignments.

(1) Guna - Biaora - Agar - Ujjain (172 85 miles),

(2) Guna - Biaora - Shahjapur - Maksi (134 66 miles),

(3) Guna - Biaora - Agar - Nagda (173 83 miles).

(d) The survey reports are not expected before October, 1957. It is not customary to give out the recommendation of the Survey party

श्री राधे लाल व्यास. क्या मैं जान सकता हूं कि इन तीनों लाइनों के निर्माण में कितना कितना रुपया खर्च आने का अंदाजा है?

श्री शाहनवाज खां: जब सर्वे रिपोर्ट आ जायेगी, तब इसका पता चल सकेगा।

श्री राधे लाल व्यास: क्या मै जान सकता हूं कि क्या रेलवे प्रशासन इन लाइनों के निर्माण को द्वितीय पंचवर्षीय योजना काल में प्रारम्भ कर देगा?

श्री शाहनवाज खां: मुझे यह बताने मे बहुत खुशी है कि गुना से लेकर उज्जैन तक की जो लाइन है, वह द्वितीय पचवर्षीय योजना मे शामिल है।

Shri T. B. Vittal Rao: This line covers a distance of 175 miles Considering the rate at which we are going on with the survey reports, is there any expectation that it will be completed during the second Five Year Plan?

Shri Shahnawaz Khan: That depends on the availability of rolling stock and particularly, the track materials But we hope to make a start during the second Five Year Plan period

Shri Kasliwal: I believe this survey in only part of a bigger scheme that is there and other lines are also to be surveyed After the survey of this line is over, may I know when the survey of the line from Neemuch to Guna will be taken up?

श्री शाहनवाज खां आहिस्ता आहिस्ता होगा, सब काम एक साथ तो नही हो सकता है।

Road Transport Service

***660. Shri L. Achaw Singh: Will the Minister of Transport and Communications be pleased to state**·

(a) whether the Planning Commission have issued any direction to the Manipur Administration regarding Licensing policy with regard to road transport service,

(b) whether the Manipur Administration carried out the directions of the Planning Commission with regard to encouragement of private operators and co-operatives; and

(c) whether private operators have been given special encouragement in the formation of the viable units?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) In September, 1954, the Planning Commission issued a letter to all State Governments containing certain suggestions regarding future licensing policy in respect of road transport services.

(b) and (c). The Manipur Administration communicated these suggestions to the State Transport Authority who have kept these in view while considering applications for permits.

Shri L. Achaw Singh: In view of the fact that there are a large number of co-operatives in Manipur and also in view of the fact that the M.D.U. Co-operative society has been there in this field for the last 16 years, may I know why no permits have been issued to them and only 15 permits have been issued to Manipur State transport in the Imphal-Dimapur Road for stage carriages to run the passenger transport service?

Shri Raj Bahadur: As per instructions of the Planning Commission, it was clearly laid down that special encouragement should be given to the formation of viable units and I have got figures in my possession which show that so far as public carriers are concerned, in the period 1956-57, as many as 25 permits have been given to Manipur State Transport and 251 permits to private persons.

Shri Ranga: What about co-operatives? Is any special effort made to encourage co-operatives there?

Shri Raj Bahadur: The Act has been amended and co-operatives have been placed on a special footing so far as that is concerned.

Marine Engineering

*661. **Shri Jhulan Sinha:** Will the Minister of **Transport and Communications** be pleased to state:

(a) the maximum number of boys who can be taken in the Directorate of Marine Engineering Training every year;

(b) whether this number is being increased; and

(c) if not, the reasons therefor?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) to (c). Fifty boys are at present being taken annually for training in the Directorate of Marine Engineering Training, but there is sufficient capacity to increase this intake to eighty boys per year, if necessary. The question of taking more than fifty boys per year is under active consideration.

Shri Jhulan Sinha: May I know if it is possible to increase this number to the maximum capacity?

Shri Raj Bahadur: It is possible to do so. That depends upon the requirement in the shipping companies and other concerned departments for these boys.

Family Planning

*662. **Shri Naushir Bharucha:** Will the Minister of **Health** be pleased to state whether in view of the practical difficulties arising from conventional methods of family planning, the setting up of sterilisation clinics, where sterilisation can be carried on absolutely voluntary basis, free of cost, has been considered by Government?

The Minister of Health (Shri Karmarkar): Sterilisation is not a method of family planning because the surgical operation involved is irreversible. The Family Planning Board which considered this question have not recommended it as part of the Family Planning Programme.

Withholding of Telegrams

*663. **Shri Surendranath Dwivedy:** Will the Minister of **Transport and Communications** be pleased to state:

(a) whether it is a fact that telegrams from the Chairman, Praja Socialist Party, Kashmir to the Prime Minister and the Home Minister conveying them the report of an assault on the workers and members of the State Executive of the P.S.P. at Banihal in April last were held-up at Jammu Telegraph Office; and

(b) if so, under whose instructions it was done and why?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) and (b). A telegram addressed to the Prime Minister and three other persons was lodged at the Jammu Telegraph Office on 26-4-1957 Its transmission was withheld under the orders of the local authority empowered to deal with such matters.

Shri Surendranath Dwivedy: May I know what were the reasons?

Shri Raj Bahadur: These reasons are best known to the local authorities

Shri B. C. Ghose: Is it the usual practice for the local authorities to hold up telegrams? Is that power now vested in the local authorities everywhere?

Shri Raj Bahadur: It is given in the rules which are well known Para 90, P & T Manual Vol II Part II empowers certain authorities to take such action in the case of telegrams as they deem fit in the public interest, if they think that a particular telegram is such as would spread a scare or tend to create a false impression in the public They are empowered under the Manual

Shri B. C. Ghose: Has the Ministry any authority if it receives complaints to inquire into whether that authority was exercised rightly or wrongly?

Shri Raj Bahadur: In this case, I am afraid, perhaps, it was not exercised properly We have got departmental orders already that in case a telegram is addressed to higher authorities or other dignitaries of such stature, it should not be intercepted. Fresh instructions have been issued in this behalf again

Dr. K. B. Menon: What exactly was objectionable in this telegram?

Shri Raj Bahadur: It may be from the point of view of the local authorities. As I said, spreading scare or something like that . . .

Mr. Speaker: It was withheld as objectionable Is it open to the hon. Minister to refer to the objectionable matter in this House?

Shri Surendranath Dwivedy: There is nothing objectionable in the telegram, I have got it here and I shall read out

Mr. Speaker: No, no I am not here to decide The District Magistrate is empowered to withhold wherever it is objectionable or otherwise

Dr. K. B. Menon: Has there been anything objectionable in the telegram addressed to the Minister?

Mr. Speaker: The hon Minister said that a mistake has been committed, that telegrams addressed to superior officers ought to have been communicated and that there was default in this matter Next question

Economy on Railways

*665. **Shri Harish Chandra Mathur:** Will the Minister of **Railways** be pleased to state what measures have been adopted by the Railway Board to streamline the office procedure, the system of correspondence and returns to ensure efficiency and economy as indicated in their Press Note of the 1st July, 1957?

The Deputy Minister of Railways (Shri Shahnawaz Khan): The importance of the following measures, amongst others, is being specially kept in view for the purpose of achieving improvement in efficiency and economy

(i) Rationalisation of information received from Railways by revising and combining the various returns wherever feasible;

(ii) Reduction of noting, keeping it to the practicable disposal of issues involved,

(iii) Resolving matters and expediting decisions through discussions between officers as far as possible, instead of through noting. particularly where more than two branches are concerned;

(iv) Elimination of scope for unnecessary correspondence, both by a careful check (both pre and post) over outward letters and by ensuring that instructions to Railways are precise and clear with an appreciation of the practical difficulties which are likely to arise. Other measures had been initiated even earlier, as part of the Central Secretariat "Organisation and Methods" Control. These steps included monthly meetings of Directors of the Railway Board with the Secretary, for the purpose of co-ordination and elimination of overlapping of work, decentralisation of authority wherever possible, etc.....

Shri Dasappa: The answer being too long, it may be laid on the Table of the House.

Shri Shahnawaz Khan: ....only one sentence more.

A Pilot Scheme was also instituted entrusting the detailed examination of work in specified branches to 4 different railways, so that the scope for improvement which comes to light through this examination may serve as a guidance for all Railways.

Shri Harish Chandra Mathur: My first submission is, when the answer is too long and all these details are given, it is much better that it is laid on the Table of the House so that we may be in a better position to ask supplementaries. In any case, according to this press note, these measures have been adopted as a substitute for control teams appointed by the Finance Minister for other Ministries. May I know how these measures serve as a substitute for the control teams appointed by the Finance Minister to exercise economy in other Ministries?

Shri Shahnawaz Khan: I thought I had given very detailed information.

Shri Harish Chandra Mathur: I am afraid, the hon. Minister does not appreciate the background of the question and does not understand it. My question was whether the Railway Ministry has adopted any analogous steps as have been adopted by other Ministries and the Finance Ministry. In relation to other Ministries, they have appointed certain teams to go about effecting economy. The answer given to me was that they have taken measures in this respect as detailed in the press note. Now, we know what measures have been adopted as have been explained by the hon. Minister. My question, therefore, is, how do these measures serve as a substitute for the teams which have been appointed to effect economies in the other Ministries.

Shri Shahnawaz Khan: We in the Railways have also appointed an Economy Committee. That committee had a meeting on the 26th of June this year. They have periodical meetings whenever it is necessary to discuss what progress they have made and whether any additional steps are necessary.

Shri R. Ramanathan Chettiar: May I know what will be the total amount of saving if the measures mentioned in your reply are implemented in a full year?

Shri Shahnawaz Khan: It is yet too early to give details.

Shri Harish Chandra Mathur: May I know whether the hon. Minister gets any periodical returns? The hon. Minister will recollect that in his Budget speech he said that he will see that all the representations will be disposed of within six months' time. May I know whether any effective measures have been taken to give effect to that promise? What are those measures, because that comes under the press note?

Shri Shahnawaz Khan: Steps that have been taken, I have given at great length. These are the steps that I have taken and I think these steps are effective.

Shri B. S. Murthy: May I know whether any extra staff has been appointed for this economy committee, if so, what is the extra expenditure involved?

Mr. Speaker: Does the hon. Member want economy or not? Are the same persons who incur the expenditure to sit in judgment over themselves and be asked to economise or to suggest economy? Therefore, other persons have to do so.

Shri Anthony Pillai: The implication of the question is whether the extra cost on the extra staff will be equal to the economy achieved

Mr. Speaker: The hon. Member wants to make a mockery of it. Wherever economy has to be effected, some other officer or some other person has to be appointed to look into it Otherwise, the very man who has been carrying on with that staff will not do so Therefore, whatever additional expenditure is involved has to be incurred. There is no good merely pooh-poohing it and saying: at least are you going to get the amount spent on this

Shri B. S. Murthy: I am sorry that...

Mr. Speaker: Let us be more serious. The hon Member may come to that seat at any time, I am expecting it.

Shri B. S. Murthy: May I say a word by way of personal explanation? You used a word which I did not use It is not a mockery In many departments economy committees are appointed, Deputy-Secretaries, Assistant Secretaries, Under-Secretaries are appointed, and finally that becomes a department Therefore, I wanted to know whether the hon Railway Minister who is very careful about economy has got any more involvements or not.

The Minister of Railways (Shri Jagjivan Ram): The question of the hon Member presents a caricature of the steps taken in the various Ministries for economy He says an economy unit is set up and ultimately that unit itself becomes a part of the Ministry, and thereby adds to the expenditure and does not effect any economy. I do not think the efforts of the various Ministries deserve that caricature by the hon Member. Some additional staff is necessary to scrutinize expenses, but I may inform the hon. Member that no extra expenditure is involved in the committee that we have set up

Mr. Speaker: Sometimes additional expenditure has to be involved. If hon Members, or a committee of Parliament has to go, are they to go on air? Even on air they have to pay the charges.

Cold Storages

*666. **Shri Damani:** Will the Minister of **Food and Agriculture** be pleased to lay a statement on the Table of the Sabha showing:

(a) the number of cold storages with their capacities for preserving fruits and other perishable commodities, which are working in India as on the 30th June, 1957,

(b) the target fixed for cold storages in the Second Five Year Plan;

(c) what has been the progress during the First Five Year Plan; and

(d) the action Government propose to take to help developed cold storages during the Second Five Year Plan?

The Minister of Co-operation (Dr. P. S. Deshmukh): (a) There are more than 100 cold storages in India Information regarding their capacity has been called for from the State Governments which is awaited

(b) Eight

(c) In the First Five Year Plan there was no scheme for setting up of cold storages in the public sector. The details of progress in the private sector are not available though some progress was made

(d) The Government is giving help by procuring cement, steel and other controlled items for the private concerns Technical guidance is also provided, wherever it is needed.

Shri Damani: May I know which State possesses the largest number of cold storages?

Dr. P. S. Deshmukh: I must ask for notice of the question

Shri Gajendraprasad Sinha: Is there any proposal to provide every district with cold storage?

Dr. P. S. Deshmukh: No, Sir There is no such proposal.

Shri A. S. Sarhadi: May I know if the Government is doing anything to establish cold storage on a co-operative basis and to assure that the growers also have some share?

Dr. P. S. Deshmukh: Every effort is being made to establish these cold storages, and some are intended to be established on a co-operative basis as far as possible

Shrimati Tarkeshwari Sinha: In order to help establishing these cold storages, may I know whether the Government gives any financial aid in the shape of loans to private concerns, and if so, whether the distribution is made by the State Governments or it is given directly by the Government of India to the different individuals concerned?

Dr. P. S. Deshmukh: No loan has been given so far to any private concern, nor is there any provision for that

Shri H. N. Mukerjee: May I know if Government's attention has been drawn to certain press reports in Calcutta to the effect that certain people keep potatoes and other vegetables and fruits in these cold storages for a considerable period in order to profiteer, and if so, if Government is adopting any steps to counteract that kind of thing?

The Minister of Food and Agriculture (Shri A. P. Jain): This is one method of preservation, and of course, some people may get more of profit. We do not know how we can interfere with that. It is just a matter of cold storage.

Shri A. C. Guha: May I know if the Government has got any scheme to provide cold storage facilities in all the marketing and warehousing companies and societies that are in the rural areas?

Shri A. P. Jain: This industry is in the private sector Nonetheless, in some special places, Government may think of putting up some cold storages.

Shri Feroze Gandhi: May I know whether all the Ministries are equipped with cold storages?

Co-operative Societies on Railways

***668. Shrimati A. Kale:** Will the Minister of **Railways** be pleased to refer to the recommendation of the Survey Report on Consumer Co-operative Societies on the Indian Railways and state.

(a) whether the four wholesale Co-operative Societies with Headquarters at Bombay, Calcutta, Madras and Delhi have been formed for purchasing in bulk, the requirements of Railway Employees' Consumer Co-operative Stores,

(b) if so, how they are working; and

(c) the progress made in regard to the organisation of a Co-operative Union for the Railways?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) No The question of establishing a Central Co-operative Stores on an All-India basis on the analogy of the Canteen Stores Department (India), in preference to 4 wholesale co-operative societies as originally proposed, is under consideration

(b) Does not arise in view of reply to (a) above

(c) The question of organising a Co-operative Union has not been taken up, pending the formation of a sufficient number of primary co-operative societies and a wholesale co-operative society on the Railways.

Rice Godowns in Orissa

*669. **Shri Sanganna:** Will the Minister of Food and Agriculture be pleased to refer to the reply given to unstarred question No 377 on the 23rd November, 1956 in respect of the Central Rice godowns in Orissa and state·

(a) the progress of work,

(b) when the construction is expected to be completed, and

(c) what is the estimated cost of each godown?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) and (b) The programme of construction has been reviewed and it has been decided that first priority should be given to the construction of godowns in port areas and deficit areas where imported foodgrains have to be stored Orissa being a surplus State, construction of godowns in this State has been given second priority. The State Government have suggested a revised list of centres out of which we are at present progressing the projects at Khurda Road and Balasore

(c) The estimates have not yet been finalised

Shri Sanganna: May I know the basis on which the Government have come to the conclusion that Orissa State is surplus in foodgrains?

Shri A. M. Thomas: It is actually surplus in foodgrains

Mr. Speaker: It is only begging the question The hon Member wants to know the basis to find out whether a particular State is surplus, particularly Orissa Have hunger and starvation been removed, or irrespective of that, there is want of purchasing power? Something must be given in reply to the hon Member who puts a question

The Minister of Food and Agriculture (Shri A. P. Jain): Eighty per cent of the area under foodgrains in Orissa is under rice, and Orissa has been exporting fairly large quantities of rice to other States, and therefore we come to the conclusion that it is surplus

Shri Sanganna: Is it not a fact that most of the tribal people are non-rice eaters, and it is on such ground that Orissa State is surplus in foodgrains?

Shri A. P. Jain: Even that is an evidence that it is surplus

Shri Anthony Pillai: May I know whether any attempts have been made to correctly assess the marketable surplus of foodgrains in the country since 1951 or during the Second Plan?

Shri A. P. Jain: A very rough estimate has been made by a committee which was appointed under the chairmanship of Shri Krishnappa, but we have not got any very definite figures.

Shri Ranga: Why is it that in the matter of the construction of these godowns, second priority is given to Orissa in view of the fact that they have got already good enough ports, and then those ports are to be developed, and they have got the Chilka lake also?

Shri A. P. Jain: That is why they have been given second priority, and not first priority

Shri Ranga: Why not first priority?

Shri A. P. Jain: Because first priority is being given either to ports or to deficit areas

Shri A. S. Sarhadi: I understand the Government is paying about Rs 64 lakhs per year as rent for godowns in the country In view of this, is it not feasible that the Government should build its own store houses throughout the country?

Shri A. P. Jain: We must always select the best and most suitable places, and that is what we are doing.

Short Notice Question and Answer

12 hrs.

Mr. Speaker: There are some short notice questions S N Q Nos 3 and 4 are in the name of Shri Raghunath Singh. But I find that the hon. Member is absent.

Train Service in Assam Region

S.N.Q. No. 5. Shri Shree Narayan Das: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that some of the trains in Assam region could not run at scheduled times while others were stopped at different stations by picketers as a result of a strike observed there in connection with the location of the oil refinery;

(b) if so, the extent to which Railway activities were hampered and obstructed;

(c) whether any damage to railway property was also done;

(d) if so, the nature of the damage done; and

(e) whether any railway employees also participated in the strike?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Yes.

(b) A statement is laid on the Table of Lok Sabha. [*See* Appendix II, annexure No. 78.]

(c) and (d). There was no damage to railway property except breakage of a few glass panes in the Regional Office building at Pandu.

(e) The matter is under investigation; however as far as is known, Railway employees did not actively participate in the 'hartal'.

Shri Shree Narayan Das: From the statement it appears that some scheduled trains and a large number of goods trains were stopped at various places, and that some of the trains did not start from the starting stations. May I know whether Government were aware of the situation in regard to this, and if so, what steps were taken to prevent it?

Shri Shahnawaz Khan: Every precaution was taken to see that no damage was done to the railway property. In this connection, the Railway Security Force came in very useful, and as the hon. Member has been informed already, no damage was done to railway property. Undoubtedly, there was some information about this impending strike, but it was a peaceful strike, and nothing untoward happened.

Shri Shree Narayan Das: May I know whether at the stations of origin, the drivers and persons connected with the starting of some of the trains evaded starting the trains?

Shri Shahnawaz Khan: As I said, no railway employees were actively involved in this hartal, but we are looking into many cases of people who might have been implicated in this thing. That matter is under investigation.

Shri Shree Narayan Das: May I know the number of railway employees who could not attend to their duties on that particular day in all the stations and other establishments of the railways?

Shri Shahnawaz Khan: I do not have the exact number with me, but the number was fairly large.

Mr. Speaker: The answers to the other short notice questions will be placed on the Table of the House. Those short notice questions had been tabled by Shri Ragunath Singh, but the hon. Member was not present here. The answers to those questions will be placed on the Table of the House.

WRITTEN ANSWERS TO QUESTIONS

Import of Railway Wagons

***654. Shri Bibhuti Mishra:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that India is to get 2,000 wagons from Australia under the Colombo Plan for her Second Five-Year Plan;

(b) if so, the duration within which India will receive the wagons; and

(c) whether those wagons are for broad or for metre gauge?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Yes.

(b) From January, 1957 to December, 1958.

(c) Metre Gauge.

Expert Committee on Sugar

***664. Shri Morarka:** Will the Minister of **Food and Agriculture** be pleased to state.

(a) whether the expert committee appointed in April, 1955 to re-examine the profit-sharing formula in the sugar industry between the cane-growers and the factories has made its report; and

(b) if so, whether Government have concluded their consideration of the recommendations of this Committee?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes, Sir

(b) Not yet

Kans Reclamation Project

***667. Dr. Sushila Nayar:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether *Kans* reclamation project was undertaken in Jhansi District;

(b) if so, in what Tehsils and in which year;

(c) the charges per acre fixed by Government at that time;

(d) whether it is a fact that *Kans* reappeared in many villages undoing the effects of the original *Kans* reclamation project; and

(e) the action Government propose to take in this connection?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes.

(b) to (e). A statement is placed on the Table of Lok Sabha. [*See* Appendix II, annexure No. 79.]

देहरादून-वन प्रशिक्षण केन्द्र

***६७०. श्री डामर:** क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि देहरादून-वन प्रशिक्षण केन्द्र में वन उप संरक्षक के प्रशिक्षण के लिये आदिवासी जातियों के छात्रों के लिये कुछ स्थान सुरक्षित रखे गये हैं, और

(ख) यदि हां, तो इस केन्द्र में प्रशिक्षण के लिये कितने आदिवासी और हरिजन छात्र लिये जायेंगे?

खाद्य तथा कृषि मंत्री (श्री अ० प्र० जैन): (क) जी नहीं, राज्य सरकारों से नामजद किये हुए लोगों को प्रशिक्षण दिया जाता है।

(ख) प्रश्न ही नहीं होता।

खाद्यान्न का आयात

***६७१ श्री श्रीनारायण दास:** क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि:

(क) चालू वर्ष में किन किन देशों से कितने परिमाण में खाद्यान्न का आयात हुआ है; और

(ख) इन देशों से कितना खाद्यान्न भारत के लिये रवाना हो चुका है?

खाद्य तथा कृषि मंत्री (श्री अ० प्र० जैन):

(क) विवरण सभा की टेबिल पर रख दिया गया है। [देखिये परिशिष्ट २, अनुबन्ध संख्या ८०]

(ख) लगभग ६ लाख ३० हजार टन गेहूं और चावल अमरीका और बर्मा से भारतवर्ष के लिये रवाना हो चुका है।

Medical College for Rajasthan

***672. Shri M. D. Mathur:** Will the Minister of **Health** be pleased to state whether it is a fact that the Government of India have agreed to allot one Medical College to Rajasthan in view of the State Government's request?

The Minister of Health (Shri Karmarkar): The matter is under consideration

Coconuts

***673. Shri B. S. Murthy:** Will the Minister of **Food and Agriculture** be pleased to state

(a) the steps taken so far to improve the Copra content of Coconuts; and

(b) the areas chosen for such experiments and the help rendered to the ryots in this respect?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b) The effect of major nutrients N, P and K (Nitrogen, Phosphorus and Potash) on yield and Copra content of nuts is being studied at the Central Coconut Research Station, Kasaragod, since 1953 The results so far available indicate that Potash has a beneficial effect on the Copra content of nuts As the experiments are still in progress, no firm conclusions have been reached which could be passed on to the ryots

It has also been found that fully mature nuts (12 months old) yield maximum Copra This finding has been given publicity by the Indian Central Coconut Committee

Railwaymen's Diary

***674. Shri V. Raju:** Will the Minister of **Railways** be pleased to state

(a) whether it is a fact that a sum of nearly Rs 1 lakh has been spent or is proposed to be spent for printing and distribution of a Diary for railwaymen, and

(b) if so, what fruitful result is sought to be achieved?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) A sum of Rs 90,000 has been sanctioned for the production of a Diary for Railwaymen, containing also material relating to the Railway Second Five Year Plan

(b) The object of the Diary is to make the average individual railwayman conscious of his responsibilities and duties and to enthuse him to play his full part in the successful execution of Second Five Year Plan

Red Rain in Kerala

***675 Shri Ramakrishna Reddy:** Will the Minister of **Transport and Communications** be pleased to state

(a) whether Government are aware about the red coloured rainfall in Wynaad (Ambalavayil area) region of Malabar on Monday, the 15th July, 1957 and the colour subsequently turned yellow, and

(b) whether a sample of water will be got examined by Government to enable the public to know the causes of the red colour in the rain?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) A report to this effect has been made to the State Government by the local District authorities

(b) A sample of the water is reported to have been collected by the District Authorities and sent to the Public Health Laboratory at Trivandrum for analysis We have asked for a copy of the report but this has not yet been received in spite of a telegraphic reminder

Community Development Schemes

***676.** { **Shri Taugamani;**
Shri B. S Murthy:

Will the Minister of **Community Development** be pleased to state:

(a) whether the entire amount allocated to States during 1956-57 by the Central Government for Community Development schemes has been utilised; and

(b) if not, the reasons therefor?

The Minister of Community Development (Shri S. K. Dey): (a) and (b) Information has been called from State Governments and will be laid on the Table as soon as it is received. From replies received so far from certain States, the position appears to be that the Central grants have been fully utilised, but a portion of the Central loans will have remained unutilised The precise reasons can be indicated after replies from all States, have been received

Desert Control

***677. Shri J. R. Mehta:** Will the Minister of Food and Agriculture be pleased to state the type of trees which have by experience proved to be best fitted for afforestation to check the spread of the desert on the Rajasthan-Pakistan border?

The Minister of Food and Agriculture (Shri A. P. Jain): A statement is laid on the Table of Lok Sabha [*See* Appendix II, annexure No 81]

Price of Rice

***678. Shri R. C. Majhi:** Will the Minister of Food and Agriculture be pleased to state

(a) whether it is a fact that the price fixed for purchasing common rice in Orissa is much less than the other neighbouring States;

(b) if so, the reason therefor,

(c) the price of rice fixed in Andhra, Madhya Pradesh and Orissa, and

(d) whether it is a fact that restrictions have been imposed on movement of rice from Orissa to outside by the Central Government?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) to (c) A statement is placed on the Table of Lok Sabha showing the prices that the Government of India have agreed to pay for rice and paddy that they are taking over from stockists. [*See* Appendix II, annexure No. 82.] These prices were agreed upon after discussion with the Orissa Government and the millers and after taking into account the current market prices and also the average of the prices prevailing in Orissa prior to 6th June, 1957, at which the Government could requisition stocks under the Essential Commodities Act

No stocks of rice have so far been taken over in Madhya Pradesh or Andhra

(d) Yes, Sir.

हिमाचल प्रदेश में मिट्टी का कटाव

***६७६ श्री पद्म देव :** क्या यह खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि हिमाचल प्रदेश में विशेषकर चम्बा में भूमि का कटाव बड़ी तेजी के साथ हो रहा है जिससे प्रतिवर्ष सैकड़ों परिवार निराश्रित हो रहे हैं, और

(ख) सरकार ने इस को रोकने के लिये क्या उपाय किये हैं और इस विषय में अब तक क्या सफलता प्राप्त हुई है और आगे के लिये क्या योजना है ?

खाद्य तथा कृषि मंत्री श्री अ० प्र० जैन: (क) जी हां, परन्तु इतनी अधिक नहीं जितना कि मेम्बर महोदय ने बतलाई है।

(ख) हिमाचल प्रदेश प्रशासन ने भू संरक्षण की सात योजनायें जिनका सम्बन्ध प्रायः वनों से है, चम्बा मण्डल में कार्यान्वित करने के लिये ली हैं। परिणाम यथासमय उपलब्ध हो जायेंगे। मौजूदा कार्यक्रम को साल-ब-साल आगे बढ़ाने का विचार है।

Production of Cereals

***680. Shri Radhamohan Singh:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether, in view of the shortage of cereals in the Union, any steps have been taken to develop and produce substitutes for foodstuffs;

(b) if so, what are they and what steps have been taken to step up their production; and

(c) whether the Ministry of Food has taken any steps to develop fisheries in deficit areas and induce people to take to it as an alternative to cereals?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b) The requirements of cereals in the Union are being met by supplementing supplies through imports Steps, however, are being taken for the development and increased production of protective foods such as fruits, vegetables, dairy and animal products etc, under the Second Five Year Plan so as to correct the unbalanced character of diet of the people Various schemes have been drawn up for this purpose which are being implemented by the State Governments

(c) The Central Government gives assistance for fishery development schemes in the shape of loans and grants It is, however, for the State Governments to develop fisheries in their respective deficit areas and induce the people to take to fish as an alternative to cereals

Rice for Kerala

***681. Shri Maniyangadan:** Will the Minister of **Food and Agriculture** be pleased to state·

(a) the quantity of rice supplied by the Central Government to the Kerala State during each month from January, 1957,

(b) the quantity of rice supplied during the corresponding period in 1956,

(c) whether the State Government has procured rice from any other State in India during this period and if so, the quantity thereof;

(d) whether any rice stored in the godowns at Cochin has been diverted by the Central Government to any other part of India after April, 1957; and

(e) whether any steps are being taken to increase the number of depots in Kerala for storing foodgrains?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b) A statement is placed on the Table of Lok Sabha [*See* Appendix II, annexure No 83]

(c) No, Sir

(d) A small quantity of American raw rice not required in Cochin is being sent out to other areas

(e) In addition to five depots that are functioning for a long time in Kerala, an additional Depot at Cannanore has been opened The State Government are proposing to start sub-depots in each district

Pakala-Dharmavaram Railway Track

***682. Shri Viswanatha Reddy:** Will the Minister of **Railways** be pleased to state

(a) when the re-laying of the track between Pakala and Dharmavaram in Southern Railway will be completed, and

(b) the original time schedule for the completion of this work, and the main factors which prevented the completion as per schedule?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) The work of relaying of track between Pakala and Dharmavaram is expected to be completed in 1959

(b) The work was scheduled to be carried out in three stages·

Stage I—60 miles—in 1953—55

Stage II—30 miles—in 1954—56

Stage III—51½ miles—in 1956—58.

Stage I has been completed. Only ballasting is being done now. Stage II is in hand and will be completed by October 1957. Stage III will then be taken in hand

It has not been possible to adhere strictly to the schedule due to paucity of track materials.

Fertilisers

***683. Shri M. B. Thakore:** Will the Minister of **Food and Agriculture** be pleased to state the total quantity of fertilizers supplied by the Central Government to the State of Bombay during 1956-57?

The Minister of Food and Agriculture (Shri A. P. Jain): The following quantities of fertilisers were supplied to Bombay State:

(i) Sulphate of Ammonia	74,000 tons.
(ii) Urea ..	845 tons.
(iii) Ammonium Sulphate Nitrate ..	1,820 tons.

Ex-Saurashtra Railway Corruption Cases

***684. Shri T. B. Vittal Rao:** Will the Minister of **Railways** be pleased to refer to the reply given to Starred Question No. 120 on the 28th March, 1957 and state:

(a) the nature of advice received from the Union Public Service Commission regarding the action to be taken against the three officers of *ex*-Saurashtra Railway involved in the embezzlement of Rs. 13 lakhs; and

(b) what further action is proposed to be taken by the Railway Board?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Dismissal from service in the case of two officers and removal from service in the case of the other officer.

(b) The advice has been accepted and orders have been issued.

Rural Credit

***685. Shrimati Tarkeshwari Sinha:** Will the Minister of **Food and Agriculture** be pleased to state the amount of credit proposed to be given to the farmers in 1957-58 through co-operative societies?

The Minister of Food and Agriculture (Shri A. P. Jain): Rs. 60 crores.

Workshop Reviewing Committee

***686. Shri S. C. Samanta:** Will the Minister of **Railways** be pleased to state:

(a) whether the suggestion of the Workshop Reviewing Committee that "if complete new fire-boxes for Broad and Metre gauge boilers are manufactured at Chittaranjan and TELCO respectively, it would be possible for the Railways to effect renewal of fire-boxes" has been considered and action taken; and

(b) if so, what is the production up-to-date?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) The suggestion for the renewal of only five boxes of boilers instead of complete boilers has been accepted in principle. As Chittaranjan Locomotive Works and Tata Locomotive and Engineering Co. are now committed to the increased targets for the manufacture of complete locomotives, they have no surplus capacity for the manufacture of spare fire-boxes at present.

(b) Does not arise.

Rajasthan Canal

***687. Shri Harish Chandra Mathur:** Will the Minister of **Transport and Communications** be pleased to state the provision made in the Second Five Year Plan for developing transport facilities in connection with the Rajasthan Canal such as Railways, Navigation and National Highway?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): There are no plans at present to construct either a railway or a roadway alongside the Rajasthan Canal because of the difficult nature of the terrain, but the Canal has been designed for both irrigation and navigation and as the project developes transport facilities will become available.

Co-operative Development

*688. **Shrimati A. Kale:** Will the Minister of **Railways** be pleased to state:

(a) whether any plan of Co-operative Development on the Railways has been drawn up for the Second Five Year Plan period;

(b) if so, the details thereof; and

(c) whether Government now propose to intensify the co-operative activities on the Railways?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) No.

(b) Does not arise.

(c) The Railways are already devoting adequate attention to the organisation and development of consumer co-operative societies.

Delhi-Ahmedabad Mail

*689. { **Shri Damani:**
Shri M. B. Thakore:

Will the Minister of **Railways** be pleased to state:

(a) whether Government are aware of over-crowding on the Delhi-Ahmedabad Mail, which has to carry passengers bound for distant places;

(b) what steps are being taken to reduce the over-crowding; and

(c) whether Government propose to introduce one Janata Service or an extra train to supplement the present Delhi-Ahmedabad Mail?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Some overcrowding has been noticed in III Class on Delhi-Ahmedabad Mail trains on the Delhi-Rewari and Mehsana-Ahmedabad sections only.

(b) The overcrowding obtains only on Suburban sections near Delhi and Ahmedabad and passengers avail of these trains as they are run to convenient timings. The question of increasing the Suburban services would be considered when works undertaken to increase the line capacities of these sections are completed. There is, however, no room at present for an additional coach to be run on Delhi-Ahmedabad Mails.

(c) Not at present.

Ex-States' Railway Workshops

*690. **Shri J. R. Mehta:** Will the Minister of **Railways** be pleased to state:

(a) whether any comprehensive expert enquiry has been made as to the production potential of the workshops of the *ex*-States Railways; and

(b) whether steps, if any, have already been taken, or are proposed to be taken to make the best of this potential, so as to overcome the short supply of various items of stores of equipment which these workshops are capable of producing or manufacturing?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Yes.

(b) Railway Workshops of *ex*-State Railways are generally repair shops and not production shops Steps, as recommended by the Workshop Reviewing Committee, are being taken to make the best use of potential repair capacities thereof.

Railway Service Commissions

*691. **Shri B. S. Murthy:** Will the Minister of **Railways** be pleased to state whether Scheduled Castes members are represented on any of the Railway Service Commissions?

The Deputy Minister of Railways (Shri Shahnawaz Khan): No, Sir.

Proposed Strike by P. & T. Employees

*692. **Shri Tangamani:** Will the Minister of **Transport and Communications** be pleased to state:

(a) the demands contained in the strike notice of the Post and Telegraph employees;

(b) whether Government will refer the dispute for adjudication under Section 10 since the notice is under section 22 of the Industrial Disputes Act;

(c) whether the representatives of the Federation have been asked to meet the Minister, and

(d) what steps have been taken for continuing the talks?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) A copy of the demands as contained in the strike notice is placed on the Table of Lok Sabha [*See* Appendix II, annexure No 84]

(b) to (d) The House is already aware of the full details of this matter and I have nothing further to add at this stage as all the issues relating to the strike would be fully covered during the course of the discussion on the P & T demand The Minister and I would also touch upon this question in the course of our reply to the budget debate

Anti-Locust Organisation

*694. **Shri M. B. Thakore**: Will the Minister of **Food and Agriculture** be pleased to state whether it is a fact that the Officers for anti-locust organisation cannot reach the remote villages in North Gujerat because of the lack of communications?

The Minister of Food and Agriculture (Shri A. P. Jain): No, Sir

Suraimanpur Railway Station

*694-A {
Shri Radhamohan Singh:
Shri Raghunath Singh:

Will the Minister of **Railways** be pleased to state

(a) whether there is an imminent danger of the railway line and the Station of Suraimanpur on the North Eastern Railway Chupra-Varanasi line being washed away by the floods of the river Ghaghra in Ballia District, U.P; and

(b) whether any and if so, what immediate steps have been considered necessary and taken to save the line from being washed away?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) and (b). The danger to the railway bank between miles 19 and 20 near Suraimanpur station on Chupra-Varanasi section due to cutting action of the Ghaghra river suddenly aggravated and, therefore, all through communications have been suspended Protection work using boulders, kankar blocks, bricks, etc, is being done

Increase in Freight Rates

*695 {
Shrimati Tarkeshwari Sinha:
Shri Raghunath Singh:
Shri Kasliwal:
Shri R. S. Lal:
Shri Viswanatha Reddy:
Shri Rajagopala Rao.

Will the Minister of **Transport and Communications** be pleased to state.

(a) whether it is a fact that Shipping Companies have decided to raise freight rates or impose a surcharge due to severe congestion at the ports of Bombay, Calcutta and Madras,

(b) how many cargo ships had to wait midstream before being berthed in these ports during the last six months,

(c) how many were diverted to other ports,

(d) the total amount of demurrage Government had to pay during the last six months due to congestion at these ports, and

(e) the steps Government propose to take in future so that they may not have to incur such a heavy financial liability?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) No, Sir

(b) During the 6 month period ending 31st July, 1957, the number of ships that had to wait for berths was

290 out of 970 arrivals in Bombay, 388 out of 530 in Calcutta and 290 out of 430 in Madras.

(c) 14 foodgrain ships and 6 fertilizer ships. Information in respect of other vessels is being collected.

(d) Out of 191 food vessels that arrived in the three ports in the same period data is available in respect of 64 vessels. A demurrage of Rs. 77,700 was incurred on six of them while the remaining 58 earned Rs. 7,71,000 as "despatch money"—a bonus for speedy turnround at the port. A demurrage of Rs. 74,769 was also incurred on 2 fertiliser vessels. Information in regard to the remaining food vessels as also in regard to other vessels carrying cargo of other Government Departments is being collected and will be placed on the Table of the Sabha in due course.

(e) A statement is laid on the Table of Lok Sabha [*See* Appendix II, annexure No. 85].

Post-Retirement Passes

***696. Shri T. B. Vittal Rao:** Will the Minister of **Railways** be pleased to refer to the reply given to starred question No 458 on the 28th May, 1957 and state:

(a) whether the discrimination between Class III and Class IV staff in the matter of grant of post-retirement passes has since been removed; and

(b) if so, the date from which it has been or will be enforced?

The Deputy Minister of Railways (Shri Shahnawaz Khan): The matter is under examination.

Kakinada Port

***697. Shri B. S. Murthy:** Will the **Minister of Transport and Communications** be pleased to refer to the answers given to starred question No. 289 on the 24th July, 1957 and state:

(a) the results of the investigation carried out at Kakinada (Andhra) to convert it into a semi-major port; and

(b) the estimated cost of the same?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) To develop the port of Kakinada to enable deep drafted vessels to be berthed alongside at all seasons it will be necessary to dredge and maintain a deep water channel across the bay and construct a protected basin. Model experiments have to be conducted to find out whether this would be feasible.

Necessary data for carrying out the model experiments are being collected by the State Government in consultation with Poona Research Station.

(b) The cost of the Project can be estimated only after the results of the experiments are known.

Air Mishap

*531. { **Shri Keshava:**
Shri Bhakt Darshan:

Will the Minister of **Transport and Communications** be pleased to state:

(a) the causes that led to the mid-air difficulty of the Sky Master plying on the night service on the Nagpur-Delhi route in the early hours of the morning of Thursday the 6th June, 1957, and

(b) how many passengers were injured?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) The Skymaster encountered severe turbulence resulting in sudden loss of height, when flying in an area of thunderstorms near Bhopal.

(b) The exact number is not known but the Assistant Airport Health Officer, Palam attended to minor injuries received by two passengers.

Railway Waiting Rooms

493. Shri Onkar Lal: Will the Minister of **Railways** be pleased to state:

(a) whether there are any proposals for constructing waiting rooms for passengers at the following places for the convenience of public:

(i) Chhabra (Kotah Distt), Rajasthan.

(ii) Chipabarod (Kotah Distt), Rajasthan.

(iii) Baran (Kotah Distt), Rajasthan.

(b) if so, when the work is proposed to be started; and

(c) if not, the reasons therefor?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) to (c) (i). Chhabra Gugar—A waiting room for upper class passengers already exists at this station The station has also a waiting hall for third class passengers.

(ii) Chipabarod—There appears to be no station as Chipabarod on the Kotah Division.

(iii) Baran—The upper class passenger traffic offering at Baran does not justify the provision of a waiting room. **A** III class waiting hall already exists at this station.

Imported Foodgrains

494. Shri Dharmalingam: Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the foodgrains which arrived in India during the quarter ending March, 1957 were distributed to all the States where there was deficiency; and

(b) if so, the State-wise quantity of distribution?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes, Sir.

(b) State-wise distribution of foodgrains during the quarter January-March was as follows:

State		Quantity (In '000 Tons)
Andhra Pradesh	..	6.6
Assam	..	6.5
Bihar	..	26.8
Bombay	..	124.6
Madhya Pradesh	..	16.7
Madras	..	27.8
Mysore	..	17.0
Orissa	..	1.9
Punjab	..	28.2
Rajasthan	..	15.8
Uttar Pradesh	..	141.4
West Bengal	..	102.5
Delhi	..	51.5
Kerala	..	57.0
Jammu & Kashmir	..	2.0
Tripura	..	5.5
Andamans	..	0.4
Others	..	80.5
Total:	..	712.7

पशु-पालन

४९५. **श्री वाजपेयी:** क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या कृषि परिषद् के पशु-पालन विभाग के सदस्यों की बारहवीं बैठक शिमला मे जून, १९५७ मे हुई थी; और

(ख) यदि हां, तो कितने सरकारी और कितने गैर-सरकारी सदस्य इस मे सम्मिलित हुए?

खाद्य तथा कृषि मंत्री (श्री अ० प्र० जैन) (क) जी हां।

(ख) सरकारी	५३
गैर-सरकारी	१२

New Railway Zone

496. Shrimati Mafida Ahmed: Will the Minister of **Railways** be pleased to state the ways in which the creation of a separate Railway Zone for Assam, would help to improve the Railway communication in Assam?

The Deputy Minister of Railways (Shri Shahnawaz Khan): Creation of a separate Railway Zone for Assam and its contiguous areas would provide a suitable administrative machinery, competent to deal promptly and effectively with the immediate as well as long term problems.

Foreign Tourists

497. **Shri D. C. Sharma:** Will the Minister of **Transport and Communications** be pleased to state the number of foreign tourists who visited Agra during 1956-57?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): It has been roughly estimated that about 24,000 foreign tourists visited Agra during 1956-57

Foreign Medical Aid

498. **Shri D. C. Sharma:** Will the Minister of **Health** be pleased to state the amount of foreign aid received in the form of medicines, tinned milk, instruments and heavy medical apparatus during the First Five Year Plan period?

The Minister of Health (Shri Karmarkar): Three statements giving the required information are laid on the Table [*See* Appendix II, annexure No 86]

रेल के ऊपर पुल

४९९. **श्री भक्त दर्शन :** क्या परिवहन तथा सचार मत्री २३ मई, १९५७ के तारांकित प्रश्न सख्या ३२३ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) दिल्ली में निजामुद्दीन और ओखला रेलवे स्टेशनो के बीच रेलवे लाइनो के ऊपर दो पुलो के निर्माण में इस बीच क्या प्रगति हुई है; और

(ख) उनका निर्माण-कार्य कब तक पूरा हो जाने की आशा है?

परिवहन तथा सचार मंत्रालय में राज्य मत्री (श्री राज बहादुर) : (क) इस सम्बन्ध में जो प्रगति हुई है उसके बारे में एक विवरण इसके साथ लगा दिया गया है। [देखिये परिशिष्ट २, अनुबन्ध संख्या ८७]

(ख) लगभग आठ महीने और लगेंगे।

Rail Link to Tripura

500. **Shri Dasaratha Deb:**
Shri Bangshi Thakur:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that repeated public representations have been made by the people of Tripura demanding a rail-link with the rest of India, and

(b) whether Government propose to include construction of such a rail-link to Tripura in the Second Five Year Plan and give priority to it?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Yes, Sir.

(b) Due to limitations of resources, both money and materials, it has not been possible to include this link in the Second Five Year Plan of the Railways.

State Warehousing Corporation

502. **Shri Heda:**
Shri Ram Krishan:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) how many State Warehousing Corporations have been set up all over the Country,

(b) the proposed storage capacity under these Corporations; and

(c) whether the Corporation in Andhra Pradesh has started functioning?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Only one in Bihar State with headquarters at Patna.

(b) The total storage capactiy of State Warehouses to be set up is likely to be 1.25 million tons approximately. The capacity of each Warehouse may range from 1,000 to 10,000 tons according to local needs.

(c) Not yet.

Extra-Departmental Agents

503. Pandit D. N. Tiwary: Will the Minister of **Transport and Communications** be pleased to refer to the reply given to Starred Question No 496 on the 28th May, 1957 and state:

(a) number of qualified extra-departmental-agents who have not been taken as yet as peons or other class IV officials; and

(b) what method has been evolved for promotion of extra-departmental agents?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) A statement showing the number of qualified Extra-Departmental Agents who have not been taken as yet as peons or other class IV officials in the various Circles is placed on the Table of Lok Sabha. [*See* Appendix II, annexure No. 88].

(b) On qualifying in the prescribed test, Extra-Departmental Agents are placed in the waiting list in the respective units of their choice and on the occurrence of regular vacancies in their units they are appointed in their turn. They are also eligible for appointment in the officiating vacancies if they forego their appointments as Extra-Departmental Agents.

Own Your Telephone Scheme

504. Shri Bahadur Singh: Will the Minister of **Transport and Communications** be pleased to state:

(a) the total number of applicants who subscribed to tht Own Your Telephone Scheme in Delhi upte the 1st July, 1957;

(b) the total amount of deposits received upto that date;

(c) the number of telephone connections provided upto that date; and

(d) the number of applicants who did not deposit the requisite amount?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) 6103.

(b) Rupees 1,22,06,000.

(c) 6,031.

(d) Statistics are not kept. The names of those persons who do not pay the 'Own Your Telephone' deposit of Rs. 2,000/- when a demand note (bill) is sent, are struck off the list.

Cochin Port

505. Shri Narayanankutty Menon: Will the Minister of **Transport and Communications** be pleased to state:

(a) the total amount allotted for the Cochin port during the First Five Year Plan and how much was spent during that period;

(b) the total allotment for the Cochin Port during the Second Five Year Plan and the details of the works to be done; and

(c) how many additional men will get employment in the works to be executed in the Cochin Port during the Second Five Year Plan?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Total amount allotted...... Rs. 324 lakhs.

Amount spent during that period... Plan ....Rs. 402:30 lakhs.

(b) Allotment during the Second Plan.............. Rs. 402·30 lakhs.

A statement showing the details of the works to be done is laid on the Table. [*See*, Appendix II, annexure No. 89].

(c) Men now employed on Plan works...... 2,000.

Additional men likely to be required in the next three months .. 500.

Anti-Malaria Drugs

506. **Shri V. P. Nayar:** Will the Minister of Health be pleased to state:

(a) the total value of anti-malaria drugs imported during the First Five Year Plan period; and

(b) the total value of recognised anti-malarials made in India during the period?

The Minister of Health (Shri Karmarkar): (a) and (b). The information is being collected and will be laid on the Table of Lok Sabha in due course.

Coconut Oil

507. **Shri Vasudevan Nair:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the Central Coconut Committee had recommended to the Government of India the fixing of a minimum price of Rs. 1425 per ton for coconut oil at Cochin;

(b) if so, whether Government has accepted the recommendation; and

(c) if not, the reasons therefor?

The Minister of Food and Agriculture (Shri A. P. Jain): Yes, Sir.

(b) No, Sir.

(c) The reasons are:

(i) Current prices of coconut and its products are quite high and the present time is not considered opportune for fixation of any minimum prices for coconut oil.

(ii) By a judicious use of import quotas and import tariff, Government are in a position to keep the prices under control and prevent any undue fall in the prices of coconut oil.

(iii) Statutory fixation of minimum prices, if it is to serve its purpose, must be accompanied by a full-fledged policy of storage operations. Apart from technical difficulties of such operations in the case of oilseeds and oils, coconut and its oil cannot justifiably be given a differential treatment from other oilseeds and oils in the case of which no such policy is at present being pursued.

(iv) Government have given an assurance to the agriculturists through a Press Note issued on June 14, 1957 that the prices of agricultural commodities would not be allowed to fall below economic levels and that suitable steps would be taken from time to time to achieve this end.

मध्य प्रदेश में गेहूं का उत्पादन

५०८. **श्री राधेलाल व्यास :** क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश राज्य के पुनर्गठन से पहले और बाद में वहां गेहूं का वार्षिक उत्पादन कितना है; और

(ख) पुनर्गठन से पहले और बाद में केन्द्रीय सरकार द्वारा १९५६–५७ में मध्य प्रदेश को कितना गेहूं दिया गया?

खाद्य तथा कृषि मंत्री (श्री अ० प्र० जैन): (क) उत्पादन के आंकड़े निम्नलिखित हैं।

('००० टन में)

वर्ष	पुनर्गठित मध्य प्रदेश में जो उत्पादन हुआ	पुनर्गठन से पूर्व पुराने मध्य प्रदेश राज्य में जो उत्पादन हुआ।
१९४९–५०	९०४	४९९
१९५०–५१	१०४७	५८७
१९५१–५२	७५९	५४१
१९५२–५३	१०६९	५६५
१९५३–५४	११३३	५९६
१९५४–५५	१४११	७८४
१९५५–५६	११४१	७०५
१९५६–५७	१६०४	उपलब्ध नहीं है।

(ख) पुनर्गठन से पूर्व : पुराने मध्य प्रदेश राज्य को १ अप्रैल १९५६ से ३१ अक्टूबर, १९५६ तक जितना गेहूं दिया गया –४५०० टन।

पुनर्गठन के पश्चात : पुनर्गठित मध्य प्रदेश राज्य को १ नवम्बर १९५६ से ३१ मार्च १९५७ तक जितना गेहूं दिया गया– २८२०० टन।

Fisheries in Manipur

509. **Shri L. Achaw Singh:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the number of fisheries and total area in acres reserved at present for fisheries under the Manipur Administration;

(b) the total amount of revenue realised from fisheries in the years 1954, 1955, 1956 and 1957 so far; and

(c) the number of fisheries and the total acreage reserved for settlement and converted into paddy fields since 1950?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) 318 Government fisheries in 1957; as the survey is not complete, it is not possible to indicate the acreage at present.

(b) The total amount of revenue realized from the fisheries year-wise is as follows:—

1954	.. .. Rs. 2,76,301
1955	.. .. Rs. 2,35,433
1956	.. .. Rs. 2,86,627
1957	.. .. Rs. 2,77,967 (upto 15th July)

(c) Eight fisheries have been reserved for settlement. The total acreage and the area converted into paddy fields will be available only after the settlement is completed.

Janata Trains

510. **Shri Tangamani:** Will the Minister of **Railways** be pleased to state:

(a) whether it has been decided to run Janata trains from Madras to Mangalore and back and from Madras to Madurai and back and from Madras to Coimbatore and back to relieve overcrowding; and

(b) if so, from what date?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) and (b). There is no prospect, in the near future of introducing Janata Express trains between Madras on the one hand and Mangalore, Madurai and Coimbatore on the other.

Scheduled Tribes and Scheduled Castes

511. **Shri B. C. Prodhan:** Will the Minister of **Railways** be pleased to state the number of Scheduled Tribes and Scheduled Castes employees serving in the Railway Department at present and how many of them are getting above Rs. 50/- per month?

The Deputy Minister of Railways (Shri Shahnawaz Khan): The required information is being collected from the Railway administrations and will be laid on the Table on Lok Sabha in due course.

Seamen at Calcutta Port

512. **Shri M. Elias:**
Shri H. N. Mukerjee:
Shri Biren Roy:

Will the Minister of **Transport and Communications** be pleased to state:

(a) whether his attention has been drawn to the fact that a large majority of seamen at Calcutta port have declared their affiliation to unions constituting the All India Seamen's Federation;

(b) whether in spite of it no representation has been given to the said Federation in Seamen's Employment and Welfare Boards; and

(c) if so, the reasons thereof?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Government have no such information.

(b) and (c). Do not arise.

Shipping Master, Calcutta

512. **Shri M. Elias:**
Shri H. N. Mukerjee:

Will the Minister of **Transport and Communications** be pleased to state:

(a) whether it is a fact that the Shipping Master, Calcutta is at the same time Director of the Seamen's Employment Office; and

(b) whether Government are aware that such unusual accumulation of responsible work in the hands of one person might hinder the efficiency of the port administration?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Yes, Sir. For the present, the Director of Seamen's Employment Office, Calcutta is holding additional charge of the duties of Shipping Master, Calcutta. The incumbent of the latter post retired in February, 1957 when the present arrangement was made pending the selection of a suitable candidate for that post. The two posts require about the same qualifications and experience from their incumbents. The combination of the two posts for the present has resulted in economy.

(b) No; there is nothing unusual in combining such appointments particularly on grounds of economy. This has nothing to do with the efficiency of the port administration which is the responsibility of the Port Commissioners.

National Filaria Control Programme

514. Shri R. S. Lal: Will the Minister of **Health** be pleased to state the number of Filaria Control Units established so far State-wise since the inception of the National Filaria Control programme in 1954-55?

The Minister of Health (Shri Karmarkar): The number of Filaria Control Units established so far State-wise is as follows:

Name of the State	Number of Units
Bombay	4
Mysore	2/5
Uttar Pradesh	6
Madras	2
Madhya Pradesh	1
Andhra Pradesh	2
Kerala	5-3/5
Orissa	5
Bihar	6
Total	32

Flies

515. Shri Shree Narayan Das: Will the Minister of **Health** be pleased to state:

(a) whether reports of abnormal increase in number and invasion by swarms of flies in some of the towns in India have been received by Government;

(b) if so, from where such reports have been received;

(c) whether any investigation has been made as to the causes of this abnormal increase of flies; and

(d) what steps have been suggested to meet this menace?

The Minister of Health (Shri Karmarkar): (a) No report regarding abnormal increase in number and invasion by swarms of flies in towns have been received by the Government of India from any of the State Governments.

(b) to (d). Do not arise.

Mysore Sugar Company, Mandya

516. Shri Shivananjappa: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the Sugar-cane price paid to the cane-growers of Mysore Sugar Company at Mandya for the year 1956-57;

(b) whether any bonus was also given to the cane-growers for the year 1956-57;

(c) if so, what is the amount of bonus; and

(d) the cane-price fixed for the year 1957-58 for the cane-growers of Mandya factory?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Out of a total cane price of Rs. 85 86 lakhs payable for the 1956-57 season, the factory had paid upto the 15th July, 1957, Rs 85 28 lakhs leaving an unpaid balance of only Rs 0 58 lakhs, or about 0 6% of the total price

(b) and (c) Bonus or extra cane price, if any, is to be paid by the factory on the basis of average price realised for the entire sugar produced in the season. Out of the 1956-57 season's production Mandya factory had still an undespatched balance of 5.454 tons sugar on 22nd July, 1957. The question of payment of any extra price for cane would, therefore, arise after the entire production has been disposed of.

(d) The Central Government have already announced a price of Rs. 1/7 per maund for delivery at gate and Rs 1/5/- per maund for delivery at rail centres for the season 1957-58. These are applicable to all factories in the country including Mandya factory.

Fertilisers

517. Shri Ramakrishnan: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the quantity of potash salts in use as fertiliser;

(b) how much of this quantity is manufactured in India; and

(c) what steps are being taken to increase the production?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) About 23,000 tons per year based on average of past three years.

(b) Nearly 2,000 tons.

(c) The imported muriate of potash is cheaper than the indigenous manufacture of muriate of Potash of equivalent purity. In countries which are exporting Muriate of Potash, it is available as a natural deposit. We are, however, encouraging its production as a bye-product from salt bitterns.

केन्द्रीय ट्रैक्टर संगठन

५१८. श्री हरिश्चन्द्र शर्मा : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि

(क) केन्द्रीय ट्रैक्टर संगठन पर उसकी स्थापना से लेकर ३१ मार्च १९५७ तक कितनी राशि व्यय की गई है; और

(ख) केन्द्रीय ट्रैक्टर संगठन ने इसी अवधि में कितनी पड़त भूमि को, किस किस स्थान पर कृषि के योग्य बनाया और उस पर प्रति एकड़ कितना व्यय हुआ?

खाद्य तथा कृषि मंत्री (श्री अ० प्र० जैन) : (क) १४,३२,४१,६८३ रुपये। यह आंकड़ा १९५६–५७ के खर्च के आरम्भिक आंकड़ो पर आधारित है।

(ख) खेती योग्य पड़त भूमि, जिसमें जंगल वाली जमीन, मिट्टी कटी हुई जमीन और खेती योग्य जमीन शामिल हैं, जो कांस घास से दूषित होने के कारण बिल्कुल बंजर

हो गई थी, जो भिन्न भिन्न राज्यों में तोड़ी गई थी, नीचे दी गई है।

राज्य	तोड़ी हुई भूमि एकड़ों में
पंजाब	१३,५२१
आसाम	४,९२८
बिहार	१,४३८
उत्तर प्रदेश	१,४७,३२१
मध्य प्रदेश	४,१५,४६३* प्रोविजनल
कुल	५,८२,६७१

(*इसमें १६,६८५ एकड़ भूमि, अक्तूबर १९५६ से मार्च १९५७ तक शामिल है, यह आंकड़ा समाधान अधीन है।)

ऊपर दिये हुए के अतिरिक्त, सगठन ने कांस दूषित जमीन के ९.९० लाख के कुल क्षेत्र को भी तोड़ है, जिस पर तोड़ने से पहले काश्त की आती थी, परन्तु घास की मौजूदगी के कारण बहुत कम उत्पादन दे रही थी। औसतन लागत प्रति एकड़ ५६.२२ रुपये आती है।

Golden Rock Workshop

519. **Shri Tangamani:** Will the Minister of Railways be pleased to state:

(a) the strength of labour force employed in the Golden Rock Workshop in the Southern Railway year-wise from 1951 to 1957;

(b) whether Government have any scheme to expand the workshop; and

(c) if so, how much additional labour it will absorb?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a)

Year	Total
1951-1952	5999
1952-1953	6205
1953-1954	6441
1954-1955	7152
1955-1956	7115
1956-1957	7060

(b) Yes.

(c) No additional labour is expected to be employed as a result of the proposed expansion.

Ramagundam-Nizamabad Rail Link

520. **Shri T. B. Vittal Rao:** Will the Minister of Railways be pleased to state:

(a) what are the salient features of the report of the Traffic Survey of Ramagundam; Nizamabad Rail-link; and

(b) whether a copy of the report will be laid on the Table of the Sabha?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) and (b). It is not considered desirable to make the salient features and recommendations of a Survey Report on a project Public until the project is sanctioned for construction

Railway Tracks and Bridges

521 **Shri J. R. Mehta:** Will the Minister of Railways be pleased to state:

(a) the extra staff of various categories employed since the Mahbubnagar incident to ensure proper check of track and bridges, particularly in times of floods; and

(b) the cost involved therein?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) and (b). Information is being collected and will be laid on the Table of Lok Sabha in due course.

Night Train Services

522. **Shri B. S. Murthy:** Will the Minister of Railways be pleased to state:

(a) whether night train service is cancelled from Bezwada-Guntakal and Guntakal-Hyderabad; and

(b) the reasons for the same?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Running of passenger trains during night on the Dronachallam-Secunderabad M. G. Section has been avoided by suitable adjustment in the timings. This has been done after giving due notice to the public and without any reduction in the number of passenger trains run on the above section.

(b) This was considered necessary as a precautionary measure during monsoons.

गन्ने की पेराई

५२३. **श्री खुशवक्त राय :** क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) उत्तर प्रदेश की गोला गोकर्णनाथ हरगाव, ऐरा की चीनी मिलों मे १९५७ के जून और जुलाई के महीनें में गन्ना किन किन तारीखो तक पेरा गया;

(ख) इन मिलो में २६ मई, १९५७ से लेकर गन्ना पेरने के अंतिम दिन तक प्रति दिन कितनी चीनी बनी; और

(ग) उपरोक्त दिनों मे किसानों को गन्ने का दाम किस भाव से दिया गया?

खाद्य तथा कृषि मंत्री (श्री अ० प्र० जैन) : (क) गोला गोकर्णनाथ की चीनी मिल ११ जुलाई, १९५७ को और हरगांव की ७ जुलाई को बन्द हुई थी। २७ मई १९५७ को बन्द होने के पश्चात ऐरा की चीनी मिल जून और जुलाई मे चालू नहीं हुई।

(ख) पूछी हुई जानकारी का एक विवरण साथ में नत्थी कर दिया गया है। [देखिये परिशिष्ट २, अनुबन्ध संख्या ९०]

(ग) तीनों मिलों ने गन्ने का दाम निम्नलिखित मध्यमासिक भाव (प्रति मन) से दिया है :

	८ मई १९५७ से ३१ मई तक			१ जून से बन्द होने की तिथि तक		
	रु०	आ०	पा०	रु०	आ०	पा०
गोला गोकर्णनाथ	१	५	६	१	२	६
हरगाव	१	४	९	१	०	०
ऐरा	१	४	६	०	०	०

Railway Wagon Supply

524. **Shri Hem Barua:** Will the Minister of Railways be pleased to state:

(a) whether Government of India have received complaints from the Chamber of Commerce, Gauhati regarding non-availability of wagons for goods transport to and from Assam; and

(b) if so, the steps Government have taken to remedy the situation?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) No.

(b) There has been a substantial increase in the movement of traffic to and from Assam. During the current year, from January to June, a total of 32280 wagons were moved from Assam to outside as against 26044 during the corresponding months of last year. 37267 wagons were moved into Assam during the same period as against 28630 during the corresponding period of last year. Efforts continue to be made to increase the movements to and from Assam.

Narsapur Port

525. **Shri B. S. Murthy:** Will the Minister of Transport and Communications be pleased to state:

(a) whether the Officer on Special Duty has recently visited Narsapur Port (Andhra); and

(b) if so, the details, submitted by him for improving the port?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) and (b). The Officer on Special Duty (Minor Ports) last visited Narsapur Port in November, 1955. The following development schemes relating to this port have been included in the Second Five Year Plan on the basis of his report:

Name of the scheme	Estimated cost
(i) Resurvey of bar and anchorage.	Rs. 10,000/-
(ii) Construction of a reinforced concrete jetty and a cargo shed including acquisition of land for the land for the purpose.	Rs. 80,000/-
(iii) Flashing beacons at Antarvedi for night navigation.	Rs. 50,000/-
Total.	Rs. 1,40,000

Rail Link Between Siliguri and Darjeeling

S. N. Q. No. 3. Shri Raghunath Singh: Will the Minister of Railways be pleased to state whether it is a fact that rail link between Siliguri and Darjeeling has been cut off?

The Deputy Minister of Railways (Shri Shahnawaz Khan): Yes, due to hill slides at mile 28/3-4 between Mahanadi and Kurseong stations on the Darjeeling-Siliguri section of the North Eastern Railway through communication has been interrupted from 5·55 hours on 28-7-1957. Trains are, however, running between Siliguri Junction and Mahanadi on the one side and between Kurseong and Darjeeling on the other.

Dislocation of Communication with Assam and North Bengal

S. N. Q. No. 4. Shri Raghunath Singh: Will the Minister of Railways be pleased to state whether it is a fact that flood waters of Mahananda river had overtopped at some places the railway track between Taibpur and Thakurganj railway stations on the Katihar and Siliguri Section of the North Eastern Railway dislocating train communication with Assam and North Bengal?

The Deputy Minister of Railways (Shri Shahnawaz Khan): No. But due to the flood water having risen above the danger level at the bridge site, train services across Mahananda Bridge No. 108 at mile 38/2 between Taibpur and Thakurganj on the Katihar-Siliguri Section, were intermittently suspended for certain periods each day from 28-7-1957 to 2-8-1957, causing partial dislocation of train communication with Assam & North-Bengal and wholly from about 11 hours on 4-8-1957, due to the river running between Adhikari and Galgalia stations on the same section rising above the danger level.

PAPERS LAID ON THE TABLE

AMENDMENT TO INDIAN AIRCRAFT RULES

The Minister of Transport and Communications (Shri Lal Bahadur Shastri): I beg to lay on the Table under sub-section (3) of section 5 of the Indian Aircraft Act, 1934, a copy of the notification No. S.R.O. 1808 dated the 1st June, 1957, together with the explanatory note, making certain further amendments to the Indian Aircraft Rules, 1937.

[*Placed in Library. See* No. S-163/57.]

STATEMENT SHOWING ACTION TAKEN BY GOVERNMENT ON ASSURANCES, PROMISES AND UNDERTAKINGS GIVEN

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to lay on the Table the following statements showing the action taken by the Government on various assurances, promises and undertakings given by Ministers during the various sessions shown against each:—

(i) First Statement—Second Session, 1957 of Second Lok Sabha. [*See* Appendix II, annexure No. 91].

(ii) Supplementary Statement No. I—First Session, 1957 of Second Lok Sabha. [*See* Appendix II, annexure No. 92].

(iii) Supplementary Statement No. III—Fifteenth Session, 1957 of First Lok Sabha. [*See* Appendix, II, annexure 93].

ORDER UNDER COMPANIES ACT

The Deputy Minister of Finance (Shri B. R. Bhagat): I beg to lay on the Table, under sub-section (4) of section 89 of the Companies Act, 1956, a copy of the Order No. 3 (1) CL. VI/57, dated the 29th July, 1957. [*Placed in Library. See* No. S-167/57].

BUSINESS OF THE HOUSE

Mr. Speaker: Before I take up the regular work of the House, namely the Bill for further consideration, I would like to make an announcement. I have received a request from the Minister of Parliamentary Affairs, on behalf of Government, that owing to the pressure of work and the volume of work that is still to be disposed of, they propose that the last date of this Session may be extended from the 6th September to the 13th September, that is, by a week more. I agree, on account of the volume of work; let us dispose of it. The House will, therefore, sit on the other days also.

Shri Ranga (Tenali): Does it mean that in spite of the extension, we have to sit on the 31st August also?

Dr. Ram Subhag Singh (Sasaram): Notice has been circulated in that regard.

Mr. Speaker: Whatever work has been allotted to the various days will stand.

Shri T. B. Vittal Rao (Khammam): What about question hour for this extended period?

Mr. Speaker: Hon. Members may give notice of questions.

Shri Sadhan Gupta (Calcutta—East): The allotment should be circulated as soon as possible.

Mr. Speaker: I shall do so immediately.

ESSENTIAL SERVICES MAINTENANCE BILL—*contd.*

Mr. Speaker: The House will now resume further clause-by-clause consideration of the Essential Services Maintenance Bill, 1957. Out of 3 hours allotted for the clause-by-clause consideration, about 45 minutes have already been availed of, and 2 hours and 15 minutes now remain.

The list of selected amendments has already been circulated to Members. I shall treat those amendments, about which chits have been sent to me, as moved.

Shri Parulekar sought to move his amendment No. 292. The amendment does not fit in as a Short Title of the Bill. So, I hold it as inadmissible.

Now, Shri Sadhan Gupta may continue his speech.

Shri Sadhan Gupta (Calcutta—East): I was trying to impress upon the House, when it adjourned yesterday, that we were proceeding to enact an extraordinary legislation taking away a right which is fundamental by all civilised standards. It may or may not be fundamental according to our Constitution, but there is no doubt that the right to strike of an employee and particularly of the working class is held to be fundamental in every civilised country.

Therefore, in all fairness and justice, we should interfere with this right as little as possible. It is a shame that we are trying to interfere with it. I should oppose every Clause

[Shri Sadhan Gupta]

which interferes with it. But supposing we decide to interfere with it, we owe it to the working class, we owe it to the employees in whose hands strike is the last resort in fighting against perfidy or the oppression of the employers, to interfere with the fundamental right to strike as little as possible.

It is, therefore, that I have given notice of as many as forty amendments, all trying to restrict this interference to as narrow a scope as possible. I shall not specifically present to the House everyone of those forty amendments, but I shall draw the attention of the House to a few of them. Now, take amendment No. 139. There is an attempt to illegalise strikes in defence establishments, establishments dealing with the production, manufacture, storage or distribution of arms, ammunition and military equipment.

Prima facie, it seems to be an enormity that in establishments connected with distribution of the military stores, there should be strikes. But let us not forget that we are not at war with any Government It may be that there will be serious difficulties of war, if there is a war. Therefore, by amendment No. 139, I have proposed that at the end of clause 2(1) (a) (vi), we should add:

> "when the Union of India is engaged in a war with any foreign power or powers".

It is obvious that it is only in those circumstances that we need to interfere with the right to strike in establishments connected with the distribution of military stores and so forth.

I shall refer to another amendment, No. 196. In that amendment, I have sought to restrict the interference of the right to strike to cases other than cases of industrial disputes. The Home Minister was eloquent yesterday in saying that this strike had not economic but had other motives. Now, let him accept the challenge here. Let him not interfere with economic strikes. That is why I have given notice of amendment No. 196 which says: "Page 2, line 5—*add* at the end—'but shall not include cessation of work or refusal to continue to work for settlement of disputes relating to remuneration, terms and conditions of service'".

I would also draw attention to amendment No. 396, which is a very important amendment. If you really are honest about affording protection against excessive use of the law, then it is absolutely necessary that Parliament should have control at every stage. What we provide is that a notification declaring a strike illegal would continue to have effect till 40 days after the re-assembly of Parliament, and also the re-assembly of Parliament is supposed to take place from the re-assembly of the House which re-assembles last. Let us take the example of this session. This House has assembld on the 15th July. The Rajya Sabha is to assemble on the 12th August. If order is issued on 31st May, it will go on right up to September That is an intolerable situation.

Therefore, I have sought to provide by amendment No. 396 a scheme somewhat like that which exists in England. For 40 days from the re-assembly of Parliament, I have suggested 5 days from the re-assembly of either House of Parliament. In these circumstances, if Government thinks that a notification should be issued, it is incumbent on the Government to call Parliament immediately on the issue of a notification and see that within 5 days, the notification obtains the approval of the House. That is real protection. At least, there we can bring the light of our criticism, we can bring the fire of our criticism, on excessive use of this legislation. Therefore, I do not see why amendment No. 396 cannot be accepted.

The Home Minister quoted examples from England. Let him follow that example here. Let him adopt the entire scheme. If this scheme is not just what the English scheme is, let him substitute the English scheme, so that within 5 days Parliament should be called and it should be approved. That is the thing I strongly insist upon and I hope if the Home Minister has any regard for democracy, there is an example of it in another country, and let him accept this amendment No. 396.

Shri Naushir Bharucha (East Khandesh): Mr. Speaker, Sir, clause 2 of the Essential Services Maintenance Bill is one of those monstrosities in law which requires to be attacked on all fronts. 'Essential services' have been defined in such a very elastic way that anything under the sun can be included, and it is wrong to believe that the right to strike is taken away only in case of government servants. There is nothing in clause 2 of the Bill which will prevent the Government from making applicable the provisions of this Bill to the private sector as well. There is nothing in it, for instance, to make it inapplicable if Government thinks so, to coal mines, banks, textile industry, sugar factories or tea plantations Therefore, the Bill is all comprehensive in its mischief.

The second point to be borne in mind is that one of the sub-clauses of clause 2 refers to public utility services, but 'public utility services' is nowhere defined in the Bill itself. Public utility undertakings have been defined in the Industrial Disputes Act, and if we read the definition of 'public utility undertakings' there, it contains such an omnibus range or various services that it is very difficult to imagine what has been left out in the Essential Services Maintenance Bill.

The whole Bill is based on the creation of a legal fiction of essential services. No doubt, legal fictions are necessary at time to be created, but the legal fiction it has created is such that it is very difficult to find out the people against whom this law will not be enforced as also what Government intends.

It has been stated by some authors of standard textbooks on equity that the notions of equity differ with the size of the Chancellor's feet. Here I will say that the notions of essential services will differ not only with the size of the bureaucrat's feet but also with his temper and weaknesses of Ministers and his hostility to labour. No objective standard whatsoever has been laid down for defining essential services; no criteria have been prescribed in the Bill to guide Government in the classification of essential services. Indeed, far more services have been left vague in the Bill than have been named in the first sub-clause of clause 2. Such vast powers can only be given to Government in case of armed hostility or foreign aggression. But it is to be regretted that this Government is assummg vast powers in normal and peaceful times. That is a sad commentary on the administration itself.

May I point out that in 1949 the Bombay municipal sweepers went on strike? The strike continued for 3 months. What did the Government do there? The Government imprisoned the sweepers on the ground that they had no right to strike in an essential service. I made a test case of it in the Bombay High Court, and there the Chief Justice asked the Advocate-General who was opposing me at that time: 'Do I understand from the Advocate-General that in this year of grace, 1949, the Government of Bombay has instructed him to say that members of an essential service have no right to strike and they are bonded slaves?' The question the High Court put was—simply because people happened to be in an essential service, do they become bonded slaves?

I ask the same question what does this Bill aim at doing? It seems to convert members of essential services

[Shri Naushir Bharucha]

into bonded slaves. Whatever Government might say, there is no doubt that fundamental and grave changes are being introduced in the relationship between employer and labour and the right of collective bargaining has been definitely taken away. This definitely knocks the bottom out of the machinery for resolution of industrial disputes through tribunals. It overrides the Industrial Disputes Act, which definitely gives the right to strike. But what is very surprising is that while the right to strike has been taken away from labour, the right to lock-out has not been taken away from the employer. I ask, why this discrimination in this Bill? I am afraid that a new type of fascism is emerging and this bureaucracy under the guise of maintaining essential services is showing its bare fangs and teeth against labour. I call this Bill a breach of faith with labour.

Sir, prior to the elections in 1957, the then hon. Labour Minister and Shri Gulzari Lal Nanda, two Ministers publicly announced that the wages of the workers were low and an increase of 25 per cent was definitely warranted. May I ask why is it that the hon. Minister, Shri Gulzari Lal Nanda is sitting quiet and instead of giving 25 per cent increase in the workers wages, supports this monstrous legislation brought to take away the rights of the workers. This legislation will go down in the history of our country as one of the black acts on the part of this Government which pretends to be friendly and sympathetic to labour.

Shri T. B. Vittal Rao (Khammam): Mr. Speaker, Sir, I would only draw the attention of the Government to the chapter on Labour Policy and Programme in the Second Five Year Plan. It reads as follows:

> In view of the fact that the public sector will grow in future, the manner of administration of industrial relations in public enterprises is of great importance for the success of the undertaking and for the fulfilment of the aspirations of labour. Any attemp, therefore, on the part of public employer on the ground that he is not working for profit has to be discouraged. Managements of public undertakings should not normally seek exemptions from labour laws or ask for other concessions not available to the private sector."

Sir, this labour policy was evolved after discussion in the Labour Panel. On this Labour Panel were representatives of the various political parties, the Congress, the Socialists the Praja Socialists, and the Communists. Not only that; representatives of the various central trade unions were also there; of the All India Trade Union Congress; the Indian National Trade Union Congress, the Hind Mazdoor Sabha and the U.T.U.C. After a thorough discussion, this was arrived at.

Now, what is the Government trying to do? They are trying to do exactly the opposite of what has been laid down in the Second Five Year Plan. What is prohibited to the private sector is being taken in the public sector. That is, they are going to declare any service as essential and, then, after that, they will say, strike is prohibited. When they go on strike, the strike will be declared illegal and all the penal provisions will be brought into play. Is it fair on the part of Government, who day in and day out say the Second Five Year Plan should be successfully implemented and that we are in difficulty about the implementation and all that. The same people, through this Bill, are trying to do the very thing that is forbidden.

One of the other things stated in the Labour Policy and Programme is that a strong trade union movement is necessary to safeguard the interests of labour and for increased production. By this Bill they are striking at the very root of the foundations of the trade union movement. There are penal provisions in the Bill. There is no obligation on the part of the employer, as it is laid down in the Industrial Disputes Act, to do so many things when a strike notice is given, to start negotiations, to appoint a Conciliation Officer and all that, or reference to the Tribunal. Here there are only the penal provisions and no obligation on the part of Government....

Mr. Speaker: The hon. Member is once again coming to the general discussion.

Shri T. B. Vittal Rao: I am saying how strikes are being prohibited and....

Mr. Speaker: That has been done. We have accepted the principle. We are trying to work it out in clause 2. The hon. Member may speak on his amendment. Generally, what has to be done and whether essential services are separate from the others etc. all form part of yesterday's argument.

Shri T. B. Vittal Rao: They declare services to be essential.

Mr. Speaker: Now, what is the use of going behind it?

Shri T. B. Vittal Rao: I am trying to say that they can declare a strike illegal after going through a certain procedure which is existing in the Industrial Disputes Act. Even in the Industrial Disputes Act, there are legal and illegal strikes and there is a certain procedure. Here only penal provisions are brought in; only punishments for strikes declared illegal. Is there no obligation on the part of the employer, the Government, that certain steps should be taken before declaring......

Mr. Speaker: We are only on the definition clause. When we come to the operative penal clauses, the hon. Member may say all this.

Shri Tangamani (Madurai): It goes beyond mere definition; that is why we are taking this attitude.

Shri T. B. Vittal Rao: First it is prohibited and then if a prohibited strike takes place......

Shri Tangamani: Sub-clause (vii) goes beyond defining essential service.

Mr. Speaker: You can say that it should be specifically mentioned and all that; but the operative portion comes in clause 3. A notification has to be issued under sub-clause (vii) bringing in other subjects under this definition.

Shri T. B. Vittal Rao: There is a strike; even after the strike the employees who go on strike will have to clear the arrears which have accumulated upon the cessation of work. There may be a little inconvenience; there is no doubt about that. But, why take away this right?

Our Minister has quoted the example of a national emergency when there was a strike threat from the miners.....

Mr. Speaker: The hon. Member is saying what his leader has said.

Shri T. B. Vittal Rao: My leader never referred to national emergency. The Minister referred to that in his reply.

Mr. Speaker: This is not a general discussion; unfortunately, the general discussion is over and we have accepted the principle. I have no objection if the hon. Member speaks about whether we can make out a difference between essential and non-essential services, what are the terms and conditions etc. When clause 3 comes, I will allow him.

Shri V. P. Nayar (Quilon): Clause 3 by itself does not say that.

Shri B. C. Kamble (Kopargaon): So far as clause 2 is concerned, I am referring to my amendments Nos. 185, 188, 189, 194 and 198. Through these amendments, I propose to agitate mainly on two points.

The first point is so far as the determination of essential services is

[Shri B C. Kamble]

concerned A liability has been added. What I desire is that Government should also decide the service conditions of the employees who are proposed to be included in the essential services In the Constitution itself there is an article which says that Government should make an enactment And, the article is article 309 It reads:

> "Subject to the provisions of this Constitution, Acts of the appropriate Legislature may regulate the recruitment, and conditions of service of persons appointed, to public services and posts in connection with the affairs of the Union or of any State "

Why is it that, even though the Constitution came into force nine years ago, this article is not implemented? If there is an enactment by this House as per this article, perhaps the difficulties which are now being experienced by the Government with regard to these employees might have been avoided What is, therefore, necessary is that their service conditions should be determined by an Act of Parliament

I am afraid that sub-clause (vii) is *ultra vires* the Constitution The suspension of constitutional guarantees is subject to three specific circumstances public order, general public interest and moral order There seems to be utter confusion on the part of the Government about the circumstances in which it wants to declare a service as an essential service There are two categories proposed to be introduced first is public utility service To my mind, the introduction of a provision to declare a service as essential service is *ultra vires* the Constitution

There is another category introduced and sub-clause (vii) says:

> "any service which the Central Government, being of opinion that strikes therein would prejudicially affect the maintenance of any public utility service or would result in the infliction of grave hardship on the community...."

So far as the creation of these two categories is concerned, it is likely to conflict with the Constitution. There have been several Judgments by the Supreme Court and it can be applied only with regard to the question of public safety or security affairs or distribution or maintenance of essential duties As I have said already, exceptions can be made only in those three categories I do not know what is the view of the Government so far as these matters are concerned. I oppose the principle underlying this clause completely

पंडित ठाकुर दास भार्गव (हिसार) : जनाब स्पीकर साहब, मैं अपना अमेंडमेंट नम्बर ४२८ पेश करना चाहता हूं, जो कि इस तरह है.

Shri V P. Nayar: If you want us to understand, kindly speak in English

Mr Speaker: The hon Members want to hear him in English

Pandit Thakur Das Bhargava: मैं इस हुक्म की तामील करता हूं अगर्चे It is not a very good request to make I would rather request him to learn Hindi

Shri V. P. Nayar: We are learning and fast too

Pandit Thakur Das Bhargava: After such a long time, he must be able to understand my Hindi also However at this moment, I shall just obey his orders After my amendment, No 428, the amended clause will read:

> 'No notification under sub-clause (vii) of clause (a) of sub-section (1) shall be issued when both Houses of Parliament are in session unless the same is approved by both the Houses If any such notification is issued when both the Houses are not in session, every notification issued..

> shall be laid before each House of Parliament as soon as may be after it is made, and shall cease to operate at the expiration of forty days from the re-assembly of Parliament...."

Sir, even according to the Government, the rule is that this Parliament has the power to determine whether any particular service would be an essential service or not; that is the meaning of the words in this clause. The President is also invested with certain legislative powers under article 123. Apart from that, this Parliament has got the sole prerogative of enacting laws. So much so, even if the Government issues a notification, it should come to this House for approval within a certain period. That is the principle on which we are proceeding. If both the Houses are in session, what would happen? Does the Government propose to take that power into its own hands even then? When the Houses are not in session, the Government should be given this power, I can understand.

It is a question between the prerogatives of the House and the authority of the executive. Logically and Constitutionally, there must be this condition precedent to the issue of any such notification when the Houses are in session. Government can come before us with a resolution and get it passed. When they are not in session, in that contingency alone, the Government can issue the notification. I can understand that. It is just on the analogy of article 123. The hands of the Government are not tied and the notification can be brought before this House and got approved.

I understand according to what is contained in clause 2 that the Government also thinks in the same way. It is preposterous that the House has got no power in this connection when it is in session. This time, we met on the 15th of July. The other House will meet on the 12th August; it may even meet infrequently with a greater distance of time. Thus the Government can have a notification of this sort in operation for three or four months. Supposing they issue a notification in the interregnum between the dissolution of the House and beginning of the next session, it means that there is a good length of time without any reference to this House. They can have a notification and do what they please.

I do not think that it is the intention of the executive to usurp the powers of the legislative. I respectfully submit to the Government to consider this matter from my point of view. A substantive legislation must be brought and must be subjected to the will of this House and if the House does not want it no Government can bring in any legislation of this kind. No such notification should be allowed to be issued unless the approval of both Houses is obtained and if the House is not in session, Government should bring in a notification and get the approval subsequently so that it will be in operation only for such period as the House is not sitting. Otherwise, it must be subject to the will of the House The matter is a very serious one.

I said yesterday that the right to strike is not a fundamental right and still maintain it. But, at the same time I think the Government is also of the same opinion that this is a valuable right of labourers. This is a very valuable right of bargaining power in the hands of the weaker sections of society against the stronger ones. If the Government is satisfied within particular circumstances, it is expedient to do so then alone will the Government bring into operation clause 3. Simply by declaring a particular service as an essential service the provisions of clause 3 are not attracted. Therefore, my humble submission is that the Government themselves have taken care to see that by the mere inclusion of any service in the list of essential services the provisions of clause 3 are not attracted. I am also submitting the same thing. Since inclusion of service in the category of essential

[Pandit Thakur Das Bhargava]

services is a very serious thing, the House must have the prerogative of initiation, or at least the approval of the House must be there before a notification of this kind is issued. I would, therefore, request the hon. Minister to consider this matter from the standpoint that I have placed before him, and agree to the acceptance of this amendment.

Barring that, with your permission, Sir, I want to say a word or two in regard to the other amendments which have been placed before this House by other hon. Members. Shri Frank Anthony, who is not present in the House just now, has brought an amendment that this Bill should only apply to the posts and Telegraphs Department and not to the Railways. He was very eloquent yesterday. I am very proud of having Shri Anthony as my colleague in this House, because he speaks English in such a way that he surpasses even Englishmen. We went in a parliamentary delegation to England, and I am proud to inform this House that he really beat all those Englishmen who were present there so far as speaking English was concerned, and everybody appreciated him. But, then, this is the difficulty. A person who is master of a very great vocabulary of words and who has got such a mastery over a language, and his tongue also runs perhaps swifter than his thoughts, is neither logical nor reasonable in what he says. There is no substance or reason behind his barrage of words. When he speaks in this House he speaks with an air of superiority. About Shri Dange he said that he was doing something like a pantomime. When he speaks of Shri Joachim Alva, a respectable member of the Congress party, whose breadth of vision and nationalist views are clear in everything that he says, Shri Anthony says that he ought to be kept in a museum. When he speaks of our Railway Board, he says that the Railway Board is only meant for victimisation, terrorisation, and he can use many other words because he has got a mastery of words.

But the difficulty is this. I want to examine the proposition that he has set before you. If the Posts and Telegraphs and the Telephones are such that in respect of these services we are going to pass this law, I beg to ask him on what principle of democracy does he say that the Railways should not come under this Bill. Even Defence and other services are coming under this Bill as essential services. He wants that the Railways should not come. Why? Because, in regard to Railways and other things he thinks there is a certain community which is predominantly there who are not under the influence of Communists.

What is the proposition of my friend with regard to my friends of the Communist Party? The leader of the Opposition is from the Communist Party. This Opposition Party is as necessary as the other parties. In respect of them my friend said: "Ban them all". They have also come to this House after free elections. They have as much right to be there as any other party. My friend says that they should be banned. On what principle? On the principle of fundamental rights of citizens or of associations or on the principle of democracy?

What is this "fundamental right"? He was speaking of the Supreme Court in such a manner that he found fault even there. He said that the Supreme Court pronounced a decision that if out of the several grounds one is vague and the others are good, and the vague grounds did not enter into subjective reflection of the person authorising the detention, the detention is good. He says that the Supreme Court has therefore deteriorated, the Railway Board has deteriorated, this party has deteriorated, I have been demoralised, all of us have deteriorated. Then, what is there that is good, undemoralised and quite firm, that is my friend's tongue and nothing else.

What is the difference between the Railways and the other essential services. The railway service is as essential as any other service. Therefore, so far as this Bill is concerned, it is not going to be declared an essential service such as would come within the ambit of clause 3. If the railway people behave like the Posts and Telegraphs and others, there is ample ground for that service also to be treated in the same manner. This shows nothing but fundamental right or democracy. My friend is against democracy. I do not know what kind of democracy he wants. If any person speaks of democracy in this House and says that we have got democracy, he says he ought to be put in a museum. If any person says in this House that we have got no democracy so far as the Constitution is concerned, and he maintains that a right to strike is given in the Constitution as a fundamental right I must say that he may remain in a paradise of his own which need not be named by me.

Shri D. C. Sharma (Gurdaspur): Sir, are we discussing a particular clause of the Bill or Shri Frank Anthony?

Pandit Thakur Das Bhargava: I may tell my friend that there is an amendment in the name of Shri Frank Anthony to this clause and I am speaking on that amendment.

Mr. Speaker: I may only request the hon. Member to consider if it is necessary to labour this point. If the House is likely to accept all the other clauses and allow them to stand, will they omit only "Railways".

Pandit Thakur Das Bhargava: This is the democratic amendment of my friend. I do not know how far it is correct. So far as I am concerned, I think that there is no fundamental right to strike. The right to strike is a valuable right, but not a fundamental right. Article 19 does not deal only with labourers or workmen. We are not all labourers or workmen. It relates to all citizens. Therefore, it is not a fundamental right. Nor does Article 19 deal with fundamental right of associations as such.

In the end I would respectfully ask the Government to kindly reconsider the point and agree to this amendment No. 428. It is an innocuous amendment. It only keeps intact the right of this legislature of both the Houses of Parliament. When both the Houses are sitting it is not correct that the Government should still, over our heads, notify any service to be included in the list of essential services. If the Houses are net in session, I can understand it. Then the Government may be given powers to issue notifications, which can come before us afterwards to get our approval. I think this amendment is quite reasonable and the Home Minister will be kind enough to accept it.

Shri Tangamani: Mr. Speaker, Sir, I have moved four amendments to clause 2—32, 33, 34 and 35. Amendment No. 32 seeks to delete sub-clause (vii), No. 33 wants the inclusion of "approval of both the Houses", 34 wants an addition to sub-clause (vii) that such a notification may be made only in cases of national emergency, and 35 is an addition to the definition of strikes.

I shall be brief and, as far as possible, I shall not touch upon the points already referred to by my hon. friends. During the general discussion my hon. friend Shri M. R. Masani referred to the Industrial Disputes Act. Section 2 of the Industrial Disputes Act is the definition section and it defines various terms. Section 2(n) defines what are the public utilities. The Railways, Posts and Telegraphs etc. are included therein. Some of the things which are found in sub-clause (i) of Clause 2 of the Bill before the House are contained in the Industrial Disputes Act. (q) defines "strike". Here also "strike" is defined but in certain different terms. Even in the case of notification of a public utility the Industrial Disputes Act says that a notification can come only if the Government is satisfied that there is a national emergency, or there is a public emergency, or there is public interest which demands it so.

[Shri Tangamani]

My objection to sub-clause (vii) of the Bill is that blanket power is being given to the Government to come with a notification that certain services are essential services. So, not only clause (2) is a definition clause, it goes beyond the scope of definition I have not come across any Bill of this kind. I would like hon Members to contradict me when I say that in none of the enactments we find the definition clause being made so verbose so that certain procedural matters are also included What is contemplated in the operative clause, namely, clause 3, is also found in clause 2 itself and that is why it has provoked so much discussion Now, if my amendment No 32 is not acceptable, amendment No 33 is similar to amendment No 140 on which the previous speaker has so eloquently expatiated

On the question of strike I have been trying to say right from the beginning that although there is no fundamental right to strike as such, we are also governed by certann decisions of the various courts, whether it is an industrial tribunal or the labour appellate tribunal or the high court or the Supreme Court. These courts have all held uniformly that strike is the right of the worker A strike, by those judicial pronouncements, has almost reached or gamed the status of fundamental rights If we are going to take away that particular right, then my amendment No 34 would say, "declare an emergency" There is article 352 saying that we can declare an emergency and then suspend the various fundamental rights conferred upon us We can understand it But we do not declare an emergency We do not even foresee any particular thing, but then, under this Bill, if you try to bring out this idea, then it goes very much beyond the scope of the Constitution I might even submit that it will be *ultra vires* of the Constitution

If we are going to define strike as such, it is also necessary to define what are legal strikes. A strike may be legal, it may be unjustified; a strike may be illegal, but still it may be justified A strike may be illegal and at the same time be unjustified. A legal strike may be justified. A full bench of the labour appellate tribunal has also held that strikes are of four kinds. So, if any punishment is to be awarded, we have to consider whether the strike is legal and justified There have been several decisions and if we want to give in this definition clause the various aspects of the strike, then there must be definition of a strike, there must be definition of a legal strike, a definition of illegal strike and unjustified strike, and there must also be a definition of a justified strike Then only this Bill, as it is presented to us, will have some meaning Otherwise, the definition of strike as given here will not really convey the purpose which it wants to convey

Thus, by this clause if we are going to say that any strike is to be banned, my amendment No 35 says that it should not include any strike in furtherance of an industrial dispute When we are trying to penalise a strike under this Act, we must also give an exemption All strikes need not be banned That is why I have tabled amendment No 35, and I would like the hon Home Minister to go into that question That will really give the indication whether the strike which he wants to ban is one which is a justified or an unjustified strike With these observations I would like to press my amendment No 35

Shri S. Ghose (Burdwan) I am speaking on my amendment Nos 389 and 391 I confine myself only to the cessation of work and when the condition can be called "cessation of work" It cannot be gainsaid for a moment that Government is going to assume extraordinary power and an absolute power and if this Bill is viewed dispassionately, it might be said that in the making of laws, we are going to make no law.

In this context, there might be chances of misuse of power or arbitrary exercise of power Therefore, some sort of explanation is called for regarding what would be the cessation of work My amendment No 389 says that strike means total and complete cessation of work I want to exclude partial cessation of work, because that will cause hardship in many respects to the so-called strikers as also to the general public I am also fortified in my saying this, for, the hon Prime Minister, said in his broadcast to the nation yesterday that a majority of Government servants are not bent on going on strike Therefore, if we are left to speculate what should be the cessation of work, whether there will be total or partial cessation of work, that will cause great hardship It might be that Government is intending that there are some well-meaning employees, who under circumstances beyond their control, could not join office In that case,

Mr Speaker The definition of strike has been taken verbatim from the Industrial Disputes Act Except for the word 'Industry' the rest is the same For the word 'industry', essential service' is used here Of course, that is *mutatis mutandis* If it is not limited to any particular full strike or partial strike or complete cessation in that Act, the same thing has been taken here also

Shri S Ghose: My submission is this I want to confine myself to this, taking a realistic view of this case, because it is confined only to one case, that is, the impending and the prospective strike that is going to be held and it is for this reason that this amendment has been brought in If this is not a permanent feature on the statute-book and if it is a temporary measure only, then the court should not be left to speculate There should be a qualification that unless there is a total and complete cessation of work, there cannot be any strike A partial cessation cannot be a strike. For example, I may submit one thing It has been said in this House today during the Question Hour by one of the hon Ministers that there were a number of absentees in the postal department when there was influenza in this city I submit there was a partial cessation of work.

Shri V. P. Nayar: There are a number of absentees in the Treasury Benches

Shri S. Ghose Naturally, the Government did not do anything at that time That caused dislocation That caused sufferings to the people Government did nothing to alleviate the sufferings, and we wonder why you kept this piece of precious legislation up in your sleeve at that time So, I submit that unless there is complete and total cessation of work the provisions should not be allowed to hold water The amendment that I am submitting now is a most inoffensive one After all, it does not cause any serious dislocation, and so the Government should not object to my amendment As I have already submitted, that will not in anyway cause dislocation I therefore press my amendment

Then, I want what should be called cessation of work and who will be guilty of stopping work There might be that somebody may go on strike for redress of a grievance which may be legitimate or, it may be a profitable pastime as has been said by the hon Home Minister, but nobody will deny that a man has a right to fight for the redress of his own grievance If there is any strike, it should be decided whether it is based on some legitimate grievance or whether it is a profitable pastime and if it is for the redress of some legitimate grievance, he should not be punished Therefore, I have submitted an amendment saying,

> "it shall not be applicable to such cessation of work which appears to have arisen out of an attempt to redress a legitimate grievance or for establishment of a right"

[Shri S Ghose]

13 hrs

In such cases, I submit, he should not be punished. If he goes on strike for the establishment of a right, in that case also, he should not be punished

There is another aspect which I beg to this House to consider There may be some persons who want to join service, but who are prevented from joining by intimidation, coercion, undue influence, threat, etc If it is found that they were prevented from joining service by intimidation, coercion or undue influence, I submit they should be exempted It is for this reason that I have given the following amendment

> "It shall not be applicable to such cessation of work, which appears to have arisen out of intimidation, coercion, threat, undue influence by the strikers or by the public"

There may be many employees who are intimidated from joining the service In such cases, they should not be made guilty of joining the strike

Then there may be another instance Suppose some class IV staff joined the service during the strike period After the strike subsides, they might be harassed by their immediate superiors in times when there is no strike They may take vengeance and harass them saying, "during the strike period you joined the service, you did not join us in the strike" Naturally, there might be that reasonable apprehension in the mind of the employee and he may think, "If I do not join the strike, I might be put to trouble in future" Government might say "if there may be such persons, we will help them with police force" How long can the police force protect them? Maybe they are taken to the office with police help Can there be any police help during night or during the part of the day outside the office hours? There is every chance of their being harassed during those periods Therefore, instead of giving a blank cheque that 'strike' means cessation of work, there should be some qualifications attached to it, namely, that it must be total and complete cessation, that the cases of those I have enumerated—those who fight for the establishment of a right, for the redress of a legitimate grievance, those who are intimidated and those who do not join service out of apprehension of future troubles—should be excluded

Government is going to assume power from which nobody is saved, not only the strikers but anybody living in India can be roped in If the law is read in its true perspective, nobody is saved Therefore, there should be some qualifications regarding cessation of work and if those qualifications are put in, I submit that the Government does not stand to lose On the other hand, it puts some sort of restriction on arbitrary exercise of power, on abuse of power Therefore, I would request the Government to accept my amendments, which are inoffensive in character

The Minister of State in the Ministry of Home Affairs (Shri Datar): Mr Speaker, as has been repeatedly pointed out, after the consideration stage of the Bill was over, the hon. Members have to confine themselves to the provisions contained in the various clauses Now, when the consideration stage is over, it means that the principles underlying this particular Bill have been accepted by the House This Bill was brought forward for two purposes

Shri V. P. Nayar. Is it not a reflection on the Chair, Sir, especially when you have been guiding the discussion?

Mr. Speaker: He is conscious of the fact that notwithstanding my guiding the discussion, there are some lapses

Shri Datar: We are on the consideration of clause 2, which is the definition clause Under those circumstances, we should consider ourselves bound by what Parliament has done in respect of the consideration of this Bill at the first stage. Therefore, the principle has been accepted. The object is, certain essential services have to be maintained and we have to maintain the normal life of the community. Accepting this, we have to consider what are the amendments moved by certain hon. Members and to which extent, if any, they can be accepted I want to point out that there are a number of amendments which go against the very principles or the objectives for which this Bill has been brought forward. Therefore, they are completely unacceptable.

Shri Sadhan Gupta has suggested that so far as the notification referred to in sub-clause (vii) is concerned, according to him, that notification ought to take effect only after the Parliament has approved of the provisions contained in the notification. So far as this question is concerned, it is both impracticable and fraught with dangerous consequences. When, for example, Government issues a notification under sub-clause (vii), naturally certain further steps have to be taken by way of declaring a particular contemplated strike as illegal and then the other penal provisions or consequences follow. Under those circumstances, after the issue of the notification, if action on the part of the Government is to be held up until this matter is considered by the Parliament, I am quite confident that the intervening period will be fully taken advantage of or exploited by certain sections, who are interested in disturbing the common life of the community. In such circumstances, Government will have to be authorised with the right of issuing a notification and then taking certain further action. Government have the responsibility of maintaining law and order, and secondly, of maintaining the essential services. Under those circumstances, if any action has at all to be taken, that action has to be left to the discretion of the Government. Perhaps in certain cases, a series of actions will follow immediately. Therefore, my hon. friend's proposal is, as I have stated, highly risky and entirely impracticable.

Another suggestion was made by Pandit Thakur Das Bhargava. He has said that so long as Parliament is in session, if any notification has got to be issued, then that notification cannot take effect unless both Houses of Parliament that are sitting have set their seal of approval upon it. That is also not a correct provision of the law. So far as all such notifications are concerned, they have to be issued by the Government after taking into account the conditions obtaining in the country. So far as Parliament is concerned, Parliament is the supervising authority and not the executive authority at all. If this fundamental principle is accepted, then my hon. friend will realise that in the matter of taking action either by way of notification or by way of prohibition or further action to be taken in a court of law, they have to be done by the executive Government. Therefore, my hon. friend's contention that, thereby, the powers of Parliament are being taken away, is entirely wrong. Parliament has the power of supervision. Whenever any notification has been issued, as the subsequent provisions will point out, it has to be placed before both the Houses of Parliament. Ultimately, if it is the pleasure of Parliament either to take a different view or to cancel the notification or to modify the notification, then, Government will be bound by it. So far as the earlier stages are concerned, they have to be done by the Government. Therefore, I would submit in all humility that, in proposing the provisions as they are, nothing has been done to affect adversely or interfere with the powers of Parliament. Therefore, both these amendments dealing with the question of delay in giving effect to the notification are entirely misconceived.

Shri Sadhan Gupta has made a proposal which is entirely impracticable. He says that whenever a notice has been given in respect of a strike, no further action should be taken at all. To give a notice is certainly easy.

[Shri Datar]

Knowing how certain associations are acting or how certain employees are being compelled to take a certain action, giving of notice is not a very difficult affair at all. But, in all such cases, the question arises whether essential services are necessary and whether they are likely to be affected. Therefore, giving of notice can be no substitute at all for subsequent action that Government have to take in the interests of maintaining normal community services.

Another amendment has been proposed that within five days, this particular notification has to be placed before both Houses of Parliament and that if the Parliament is not in session, according to the Mover of this amendment, Parliament should be specially called for this purpose. I would point out the difficulty and also the impracticability of such a proposal. It does not matter if it is placed on the Table of both the Houses of Parliament as soon as it meets. Parliament would be seized of this matter and in its wisdom consider this notification and give such advice and give such direction to the Government as it would be pleased to do. In these circumstances, this proposal also is entirely impracticable.

Shri Sadhan Gupta: Is it not the law in England?

Shrimati Renu Chakravartty (Basirhat): Why is it impracticable?

Shri Datar: It is immaterial what the law in England is. There are a very large number of difficulties in calling a Parliament like the one we have in India. India is a very large country. It would not be possible to call the Parliament in five days. Let the hon. Member understand it correctly. (*Interruption*). It would be practically impossible. You are aware of the rules under which Parliament can be called. Even when the question arises of calling a special session of Parliament, some time has to be given, because India is a vast country and you cannot expect hon. Members of Parliament to give up their work and rush to Delhi only for the purpose of scrutinising the terms of a notification. Therefore, this proposal, though otherwise, it might appear highly catching, is absolutely impracticable and it is not possible to accept this proposal.

Another hon. Member contended that only total strikes ought to be prohibited and not partial strikes. I am not able to understand either the logic or the utility of this proposal except to take away from the purview of this Act as many contemplated strikes as possible. After all, if a total strike is bad, a partial strike is worse, because, thereby, you will find that normal conditions are being interfered with and so, both these things have to be placed on the same footing. Therefore, partial strikes have also to come within the mischief (*Interruption*).

My hon. friend Shri Frank Anthony suggested that this should be sent to a Select Committee. We have had a full discussion on the subject. Various aspects of this question have been examined by hon. Members including Shri Frank Anthony. I would submit that, in view of the urgency of the Bill, it would not be possible or practicable to send it to the Select Committee and call for a report however early it may be.

I would point out that even in the course of the debate on this clause, oftentimes, hon. Members proceeded.. (*Interruption*).

Mr. Speaker: Order, order. There is a running commentary.

Shri Nath Pai (Rajapur): Most of the remarks are provocative.

Shri V. P. Nayar: He is referring to the Select Committee.

Mr. Speaker: Many things have been said. He wants to show that he is reasonable and he is explaining why he did not accept the proposal for a select committee. What is the harm?

Shri V. P. Nayar: He himself said that partial strikes will also be brought within mischief

Mr. Speaker: In the definition of strike, it was said that it must be total absence and not partial absence He calls it partial strike

Shri Datar: The hon Member is a lawyer He must understand the meaning of the word 'mischief' It is not mischief in the general sense It means bringing within the purview of the mischief of the Act

I would like to refer to one more point All along, hon Members are under an absolute misapprehension regarding the position or relationship between the employed and the employers that is, Government I would not use the words master and servant because that word was needlessly taken exception to For example, we have to understand that the Government are not interested in maintaining or perpetuating differences with their own employees Because after all, Government work or administration has to be carried on with the willing services of lakhs and lakhs of our government employees We cannot carry on our Government by maintaining relations of hostility with our government servants It is our desire, it has all along been our objective to keep the government servants in contentment to the extent that we can in the present financial circumstances Most of the hon Members opposite proceeded with the view that Government are not well disposed towards their servants and therefore they would misuse or abuse the provisions of this Act Such a fear or misapprehension is entirely uncalled for

Shri Nath Pai: It is most justified in the light of past experience

Shri Datar: It would be only when the Government finds it absolutely inevitable that Government will have to take any action that becomes necessary in the interests of the people at large, in the interests of the community I would point out that whenever and to the extent that the provisions of this Act have to be implemented, Government will do it after taking all the circumstances into consideration, without necessarily adversely affecting the interests of the services, except where the services are purposely going wrong or are being misled by others

Mr. Speaker. Which of these amendments shall I put to the House?

Shri T. B. Vittal Rao: Amendments 32, 140, 34, 143, 390

Shri Frank Anthony (Nominated—Anglo-Indians) Is it in order for the Members to address you sitting down?

Mr. Speaker The hon Member knows well that like the scale pans, when one is up, the other will be down I do not complain

I would like to suggest to hon Members that they may choose an amendment on which we may divide I am sure the House wants to divide on clause 2 If they do not want to divide on the amendments, they may divide on clause 2 as a whole

Shri Naushir Bharucha. Yes, Sir, that will be all right

Mr. Speaker. The other amendments I will put to the vote of the House, they may go The clause will stand over for division after 2-30 In between hon Members have gone away for lunch It is not usual to call a division between 1 and 2-30 Then I will put the amendments to the vote of the House

Shri Tangamani: I would like amendment 32 to be put separately

Mr. Speaker: Very well All the amendments and clause 2 will stand over I will take up that amendment and the clause later on I will treat the other amendments as withdrawn, or I will take the sense of the House Clause 3

Shri Sadhan Gupta: I suggest clauses 3 and 4 may be taken together

Mr. Speaker: Yes I shall do so What I would like to suggest is, having regard to the schedule of time, *we have one hour more for this stage,* that is the clause by clause stage It is 1 20 now It will go on till 2 20 Thereafter from 2-20 till 3-20 there will be the third reading What are the essential clauses? Clauses 3 and 4 may be taken together I shall allow discussion on them together, on the clauses and the amendments together.

Shri Datar: Clauses 3 to 6 may be taken up together

Some **Hon. Members**. Clauses 3, 4 and 5 will go together

Shri M. R. Masani (Ranchi East)· It seems to me that clause 4 which is a penalty for illegal strikes is completely distinct from clause 3 which is the substance of the Bill I think it will make it easier for discussion if we keep them apart

Shri V. P. Nayar Clauses 4, 5 and 6 may be taken together

Mr. Speaker. Clauses 4 5 and 6 will be taken together

Shri **M. R. Masani:** I rise to support the amendment which I have given notice of, namely, Number 483, which says that where Government declare a strike to be illegal, it is necessary that prior to any such order being made, Government shall refer the dispute and any matter appearing to be connected with or relevant to such dispute to a Tribunal for adjudication.

I will not repeat the broad considerations which I mentioned yesterday in support of this amendment. The hon Home Minister in replying to what I had said yesterday afternoon made the point that the Pay Commission had been appointed which was at least as good as a tribunal if not better, and the ground he advanced was that the pay commission with a Supreme Court Judge as Chairman was certainly as weighty a tribunal as normally a tribunal could be expected to be

The hon Home Minister knows perfectly well there is a difference between a Pay Commission, with however estimable a leadership it may possess, and a tribunal whose award is binding The recommendations of the Pay Commission will be purely optional for Government to accept, and the plea that I had made was that when a man is deprived of his right to strike, he should have the assurance that the decision of the arbitrator or the adjudicator would be accepted by the other party, the employer, as much as by himself To offer him a Pay Commission the recommendations of which may or may not be accepted by the Government is not the same thing And this amendment is designed to try and make this Bill more acceptable by stipulating that the alternative remedy of the law will be open to those whose right to deny labour is being taken away

If the hon Home Minister had been here, I would have made a plea to him, and I make it to the hon. Minister of State, that if this amendment in its present form is not acceptable to Government, if they feel they do not want to tie their hands by accepting the award of a tribunal or adjudicator, let them at least try to bring the Bill in line with the spirit of what the Home Minister said in his reply to the debate yesterday.

The Home Minister's reply was: we are in fact giving an alternative channel for the redress of grievances. The Pay Commission is that channel, and I understood from his remarks that if the Pay Commission had not been appointed, the Home Minister would not have felt justified in introducing such a measure If my understanding is correct, then there should be something in the Bill that reflects the spirit of that assurance.

Today the Bill will be passed Maybe two years later it will be applied. No Pay Commission or anything of the kind may have been appointed.

Mr. Speaker: It expires at the end of the year.

Shri M. R. Masani: In a year and a half many situations we cannot foresee may arise. I want to make sure that on a future occasion Government will not bring out a notification under this Act, as it then would be, without giving the benefit of a Pay Commission such as obtains in this case. I do feel an obligation rests on the Home Minister, in view of his statement yesterday afternoon, that there should be some proviso in clause 3 of the Bill which points out that Government will not illegalise a strike and deny the worker the right to deny his labour without taking certain steps to enable him to ventilate his grievances in some way.

If the Home Minister had been here, I would have made a personal plea to him to import the spirit of his speech into the provisions of this Bill, which is not the position now. If this was done, it would become possible for some of those who are opposed to the Bill in its present form to accept it and to sympathise with it a little more.

Shrimati Renu Chakravartty: I would like to move amendment 397 where I want to substitute lines 15 to 21 by saying that no work in any essential service can be prohibited except for the sake of the security of the State when it is facing external aggression and is in a state of war.

It is very clear that in no country in the world have such blanket powers been given to the Government or the executive authority except in a state of emergency, to come forward and prohibit all strike which is more or less a fundamental right for the workers throughout the world.

Shri M P Mishra (Begusarai). What about your communist countries?

Shrimati Renu Chakravartty: The example given by the Home Minister yesterday of the Coal Mines Act from which he quoted was actually promulgated after the national emergency had been declared. It came as a concomitant almost of it. A national emergency was declared and then the industry was put under the emergency powers and prohibition of the strike was allowed. In such a situation when we have declared an emergency, very many powers can be given to the Government which in normal times would not be given to it That is why it is completely wrong and irrelevant to have brought forward such an example as was given by the hon. Home Minister

We have very clearly stated in our Constitution what actually is meant by a state of emergency, and these powers can be used only in a situation when external aggression has smitten our country. In any other circumstance to give such blanket powers is completely wrong and we totally oppose it.

Even the example which the hon. Home Minister gave yesterday was in the case of only one industry. Here what is happening? Under the definition of essential service, not only are essential services put down in this clause 2, but under sub-clause

[Shrimati Renu Chakravartty]

(vii) it includes any service which not only is a public utility service, but which the Government may think inflicts grave hardship on the community. Any such industry can be termed an essential service, and the powers given, the arbitrary powers given under this law, come into effect. That is why it is an extraordinary piece of legislation, and this cannot be used in times of peace, whatever may be the provocation.

The second important thing which I want to press through my amendment is the deletion of sub-clause (3). Personally, I would have liked the whole thing to be deleted, but that would probably be ruled out by you at this stage, because we have, by the overwhelming votes on the other side, approved of the principle that an order can be made, but an order under this measure shall be in force for six months only.

If we have to accept the evil which is inherent in this Bill, let us at least limit it, as Government say, to the circumstances that have arisen. But to give the Central Government power to extend it by a like order for a period not exceeding six months would, in fact, mean what happened in the case of the Preventive Detention Act. Though that Act was expected to last only for a short period, not only has it been brought forward before us again and again for extension of time, but finally it has almost been turned into a permanent law and put almost permanently on our statute-book. If this is the position—and we are sure that that is what is going to happen this has happened in the past, and it is going to happen in the future—then this is the most pernicious clause in this Bill.

That is why we seek to eliminate the second portion of sub-clause (3), whereby we limit this evil only for six months, and also provide that no powers be given to the Central Government under any circumstances, and especially, not by order, to extend it for a period of six months. The Minister has told us that actually it is not possible for him to do anything. It is not possible for him not to have an order but bring the matter before parliament when it *is in session*; and when it is not in session, it is almost impossible to call people back from their constituencies within five days. One would imagine from this that we are living in the era of the bullock-cart, and, therefore, we cannot come from any point in India to Delhi within five days.

That seems to be the attitude of Government. It is very clear from the reply given by Shri Datar that he would not be prepared to accept our amendments or give us even a reasonable explanation for the blanket powers that Government are asking for, and that he would not agree even to bring forward the notifications before Parliament and at least get the sanction of Parliament for whatever arbitrary powers they want. At the present moment, any arbitrary powers which they desire to have can be brought forward before this House, and the overwhelming vote of the Congress Party will see it through. But the fact is that we are legislating, and we fear we are legislating for a long period of time; very possibly, every six months, we may be asked to prolong this, and finally, they will bring forward a Bill and say that for the next ten years, this Bill may be on the statute-book. That is why we feel that this is one of the most pernicious clauses in this Bill.

The last point which I want to press is the deletion of sub-clause 4(b). This again is another extraordinary provision that we are seeking to insert here. This sub-clause provides that any strike declared or commenced, whether before or after the issue of the order, by persons employed in any such service shall be illegal. Again and again, in this House, we have heard from the sponsors of the Bill, that is, from the Treasury Benches, and even by way of explanation from you that when an Act is enacted, nothing can be done in retrospect I remember only the other day, when we were discussing some important measures which would have financial implications, it was said that we could not bring forward anything in retrospect, and that we should have only to legislate a year ahead Even in regard to the Wealth Tax Bill, we have said that we can apply it only for the future, even the period of time between the introduction of that Bill here and the time till it is actually passed into law will not be taken into account in the period of assessment

So, I say that any future strikes may come under the purview of this law But how can we declare a strike of which notice has already been given, fulfilling all the requirements of a legal strike as enacted by the law at that period of time, illegal except when there obtains a period of emergency, especially, a period of emergency which has been necessitated by external aggression or war? Without such a proviso, I feel that the blanket powers which are being sought for by Government cannot be given by this House Therefore, I firmly oppose all these three clauses

Shri Frank Anthony: I rise to support the amendment which has been brought forward by my hon friend Shri M R Masani I had given notice of a similar amendment, namely that before Government declares any strike illegal, the matter must be referred to some kind of a tribunal I feel that if the Home Minister was here, and if his conciliatory approach yesterday was any yard-stick, then he would accept what I regard as a very modest proposal

I myself have given a series of amendments which seek to restrict the effect of this measure to the Posts and Telegraphs Department and to those Departments whose employees had in fact served notices of strike. But I am not pressing those amendments, because I feel that the Government in keeping with its alleged desire to be reasonable and to be conciliatory, will accept this amendment, or may propose some kind of further amendment to Shri M R Masani's amendment

The Home Minister, yesterday, in reply to Shri M R Masani's submission that this Bill was very different from, and very much more Draconian than the Industrial Disputes Act, said, no He felt that this measure was more straightforward, perhaps in the sense that a straight lift to the jaw is more straightforward than a body-blow, because this is not only a straight lift but it is a straight right and left to the workers of this country There is no question of leaving the workers with any kind of powers to bargain or parley with Government, and it is because of that that I am not insisting on the phraseology of Shri M R Masani's amendment.

He says that the matter should be referred to an adjudicator In keeping with my usual mellow approach to most problems, and my capacity for being more than reasonable, I say I shall accept any amendment to this amendment which the Minister may be pleased to put forward. What I am particular about is that before Government arrogate to themselves the extraordinary Draconian powers which they are now seeking, they shall be under an obligation to refer the dispute which has led to a strike or to a strike notice,—I do not say, to a tribunal or to a Supreme Court judge, but they must make a reference of the dispute—to someone, even to a departmental body After all, workers are not always irresponsible. If they give notice of a strike, it must be in respect of some matter which is agitating them deeply, and surely, they have the right to expect, before Government prohibit the strike and attract the provisions in regard to the drastic penal consequences contained in this Bill, that Government shall apply their mind to the matters which are agitating them. That is what I am asking for Am I asking for too much?

[Shri Frank Anthony]

I say I am not prepared to accept the assurances of Government. Pandit G. B. Pant is here today; Shri Jawaharlal Nehru is here today; this measure is there till 1958—God forbid—but they will not be here in 1958 My own fear is this, that this will go the way the Preventive Detention Bill went. We were assured that it was a temporary measure, and today, we know to what extent it is a permanent blot on the statute-book. And if you are going to give Government for all time or even up to 1958, this kind of extraordinary powers, what is there unreasonable in first referring this matter to some kind of a body? I say this without qualification. I am not only afraid, but more than that, I am certain that this Bill will be abused. When it becomes law, it will be abused. I do not say it will be abused by the Home Ministry, but it will be abused by some departments of the Government. I can say this with the completest assurance that it will be abused by the railway department. I know that it will be abused.

Pandit Govind Malaviya (Sultanpur): You contemplate that the railway people will act in such an irresponsible manner?

Shri Frank Anthony: They will not. I do not believe they will so act. But what is the immediate occasion for Government taking these extraordinary powers? The unreasonable attitude—I am prepared to concede it—of the P. & T. Because of the attitude of the P. & T. Government is anticipating that all workers in this country are going to act unreasonably. I say, yes, the immediate cause may appear to be the present tremendous inflationary spiral. But if Government is prepared to look at this a little more objectively and analytically, the cause is much deeper. I believe it is deeper because it is the accumulating frustration of grievances not dealt with over a period of years. This is the immediate occasion which represents the rallying point for that accumulating frustration.

13-41 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

Pandit Govind Malaviya: Is this Government not doing everything possible for the workers?

Mr. Deputy-Speaker: I am afraid this will not be resolved in this way. I would also request the hon. Member to address the Chair.

Shri Frank Anthony: I am in your hands. But may I look at him while addressing you?

I am quite prepared to concede that in this particular case, Government has been more than reasonable. But what am I asking? I am asking for a guarantee that in all cases Government will be reasonable. My request is the symbol of reasonableness. It is a guarantee of reasonableness that in future contingency before Government takes these powers—my hon. friend will concede that they are extraordinary powers, powers which, in the final analysis, are repugnant to democratic concepts—before that, the matter should be referred for investigation. Am I asking too much? I say this: tomorrow the railwaymen will give notice of strike. They will not give notice of strike because they want more money. The average railwaymen do not want more money, but why will they give notice of strike? Because this particular strike, focussing as it does on this demand for increased wages, happens to represent a convenient rallying point. But their grievances are grievances which extend over a period of years, legitimate grievances which the railways have refused, in season and out of season, to look at.

The Station Masters have been shabbily and unreasonably dealt with in respect of categorisation. My hon. friend (referring to Pandit Govind Malaviya) is laughing. I was a member of the Pay Commission which suggested that there should be 7 categories of Station Masters. Some bright person in the Railway Board, instead of having 7 categories, properly distributed, shoved 87 per cent. to the lowest category That was never our intention The Station Masters do not want more money , But they say: 'Why have you misinterpreted the recommendations of the Pay Commission?'

Almost all the categories of railwaymen are not exercised about wage increase, but they are exercised about legitimate grievances I am quite certain that the Railway Board are going to welcome this, and the General Managers are going to celebrate the passing into law of this particular measure, because they will not look at grievances They will come to the Home Minister, who won't have the time, the Leader of the House has less time What does he know about the rights and wrongs of these grievances? They will just say you ban the strike There is no guarantee that anybody has applied his mind

What am I asking the Minister? I am pleading with him for a clause that you shall refer it not to a tribunal, because Government may not want to be bound by it, not to a Judge, but to some departmental body The matter shall be referred to somebody so that the men will at least have this satisfaction and knowledge that the strike is not being banned without the grievances being looked into

I do not understand what will Government achieve by not accepting my request You 'blunderbuss' the workers into seeming silenece I know the workers will be too terrified now

Pandit Govind Malaviya: They have asked for it.

Shri Frank Anthony: I am sorry, I am surprised, not only surprised, but I am disappointed at this.

Mr. Deputy-Speaker: I would suggest to the hon. Member that he would find the Chair the most patient listener if only he continues to address the Chair.

Shri Frank Anthony: I will, but my friend goes on provoking me. He says they have asked for it. Is this the kind of attitude that we should expect from any Member of this House

What kind of industrial peace is Government hoping to give the country? It is not even peace of the grave; it would be peace of the volcano. What will happen? The people will not express themselves They will be 'blunderbussed' The country will be lulled into a false sense of everything being all right The whole thing will seep underground All their frustrations and bitterness will not only harden but grow, and ultimately what will happen? Somebody will get hold of them and then there will be an eruption of the volcano What will my hon friend say then? Who will have asked for it? The country or the workers? That is what I am afraid of

I am pleading with Government to consider this After all, if people have a legitimate grievance, all that they want to be assured is that that legitimate grievance is looked into. But no, you do not even give the assurance that you will look into their legitimate grievances I am pleading with the Government I am quite prepared to give Government powers in this particular case I say that no worker should be allowed to hold the country to ransom. I go further; I do not want my Communist friends to be allowed to exploit the workers and to hold the country to ransom. . . . I hope my hon friend will clap again when I say that Government has no right to hold the country to ransom, because when you do not give the right to the workers to ventilate their grievances, you are holding the country to ransom You are sowing the wind and you will reap the whirlwind.

Pandit Govind Malaviya: If Government give in, then Government will cease to function.

Mr. Deputy-Speaker: Discussion cannot go on in this way.

Shri Frank Anthony. I am only asking a simple question Is it unreasonable for Government to accept

Mr. Deputy-Speaker. I would request him not to ask any more question of any Member

Shri Frank Anthony I am ending on this question Is it unreasonable to request that before you prohibit a strike, before you invoke the drastic penal consequences which follow such a prohibition, is it unreasonable that you should have somebody, even the head of the department, to investigate first the grievances—before you illegalise the strike

Shri Dasappa. What prevents anybody

Mr Deputy-Speaker: We will have those questions afterwards

Shri Keshava (Bangalore City) I am moving my amendment No 485 It is a very simple and harmless amendment.

Shri Nath Pai. Let us hear it We shall decide very soon

Shri Keshava. The very object of this measure is pure The Government should have the power in the situation to meet the emergency created by a threatened strike to ensure maintenance of essential services in the normal life of the community If we are particular about maintaining normal life and seeking to maintain these essential services, we should also empower ourselves by enabling us to do this by calling upon any person, who is fit to do so, to man that essential service

In that way, I have tried to move this amendment as an additional clause to clause 3 in which I say·

"(3A) Upon the issue of an order under sections 2 and 3, the Central Government shall conscript any person if it is so satisfied he or she is fit to do the job to do any task in any such essential service so declared and the said person shall serve in the said job *so described for a period of* six months from the date of such order"

My submission to this House is this No doubt, strikes have become almost a universal plague; they have become the order of the day My impression is that, in fact, the strikers cannot afford to be idlers As matters stand, no labour can prolong its strike without resorting to external help Unless they prolong it they cannot succeed in the strike By enacting this measure, I feel that we are enabling them to get rescue from the trouble they are faced with

I am sure Government will be very careful and cautious while implementing this measure At the same time, I am also anxious that we should enable ourselves by enlisting the services of such persons as are able to do this kind of essential service that we are going to declare under this measure Of course, there may be quite a large number volunteers who may volunteer to do this service We are faced with a grave situation and an enormous number of persons may be required to keep the services going

It is only in this aspect of the matter that I want the Government to be clothed with these powers of conscription also so that immediately any necessity arises, the Government may be in a position to call upon such persons who are able to do the job for a period of 6 years

Shri Nath Pai: Six years? Yes, six years would be better

Shri Keshava: Six months This is all I have to say

Shri Nath Pai: I think the hon Member has forgotten to add concentration camps also as a logical consequence of this conscription

Pandit Govind Malaviya: That is for you to do

Shri Prabhat Kar (Hooghly): Sir, I have moved my amendments, Nos. 155 and 161. Amendment 165 reads· *after* line 18 *add*

> "Provided however that such order shall be approved by both the Houses of the Parliament before it comes into effect."

By this clause, the Government tries to take away......

Shri Datar: What is the amendment, Sir?

Shri Prabhat Kar: Amendment No. 155 By this clause the Government seeks to take away the right of the workers to strike by phohibiting strike in an essential service, which has been defined in clause 2 These services were called 'public utility services' in the Industrial Disputes Act.

If you look into section 2(n) of the Industrial Disputes Act you will find what is meant by public utility service

> ' " public utility service" means—
>
> (i) any railway service;
>
> (ii) any section of an industrial establishment, on the working of which the safety of the establishment or the workmen employed therein depends,
>
> (iii) any postal, telegraph or tele phone service,. ...'

Mr. Deputy-Speaker: There is con versation across the benches; it doe not look dignified

Shri Ranga (Tenali). Excuse me Sir

Shri Prabhat Kar:

> '(iii) any postal, telegraph or tele phone service;
>
> (iv) any industry which supplie power, light or water to th public;
>
> (v) any system of public conser vancy or sanitation;
>
> (vi) any industry specified in the Schedule.'

"Schedule specifies—

1. Transport (other than railways) for the carriage of passengers or goods, by land, water or air
2. Coal
3. Cotton Textiles
4. Food stuffs
5. Iron and steel
6. Defence establishments.
7. Service in hospitals, dispensaries etc

All these would come under the public utility services under the Industrial Disputes Act and section 22 of the Act prohibits strikes in these industries, under certain conditions. Those conditions are that the strikers must give notice of a certain period—14 days notices—and before the expiry of this notice they cannot go on strike etc Along with that, it imposes certain obligations on the Government to refer the disputes over which the strike notice has been given under section 10

> "Provided that where the dispute relates to a public utility service and a notice under section 22 has been given, the appropriate Government shall, unless it considers that the notice has been frivolously or vexatiously given or that it would be inexpedient so to do, make a reference under this sub-section notwithstanding that any other proceedings under this Act in respect of the dispute may have commenced"

Here, all these services were considered when the Industrial Disputes Act came into force and, at that time, it was thought necessary that there should be certain reasonable restrictions on the workers in these industries. And, accordingly, sections 22 and 10 said that the strikers should give a strike notice and the Government on their side if they want to prohibit a strike shall refer the dispute to the Tribunal.

[Shri Prabhat Kar]

Now, it was thought by Government that this is not a fool-proof safeguard to stop the strikers or stop the workers from going on a strike in furtherance of their industrial disputes or their demands That is why we find the Essential Services Maintenance Bill here Otherwise, under the Industrial Disputes Act, Government can easily refer the disputes over which the strike notice has been served by the P & T workers and prohibit the strike and thereby stop the strike, at the same time, granting a particular machinery through which the workers could have secured justice

Here is a Bill which denies justice to the workers In this Bill there is no provision by which the worker who puts forward his demand can know whether the demand is going to be heard and what will be the machinery to go into the details of the demands and to give relief, if it is found necessary It is a Bill by which the right of the workers to strike is being denied

It has been said that strike is not a fundamental right I think we need go to other countries In India, previously, strikes were considered as conspiracy We know that the High Courts decided that it is conspiracy to prohibit the carrying on of trade Accordingly, the strikers were convicted After various movements, only in 1926, this right of the workers to form into associations and to go on strike in furtherance of disputes was guaranteed Since then we have been making progressive legislation to grant more and more rights to the workers. As a result thereof the Industrial Disputes Act of 1947 came into force Since then, various amendments have been made in the Industrial Disputes Act and today, although it is not accepted as a fundamental right, it has been agreed that it is the right of the workers to go on strike in furtherance of trade disputes and for the betterment of service conditions.

Today if it is being denied that the workers will have no right to go on strike, that means we want that under the present conditions of service, the workers shall continue but shall have no right to agitate for the betterment of their service conditions This is a piece of legislation wherein you find not a single word about the procedure through which the workers can secure justice in case the Government do not accede to their demands I say this piece of legislation presupposes a state of emergency If it is a state of emergency, the Parliament should be called and the sanction of Parliament should be taken before any order is to be passed It has been said that Parliament cannot be called in five days I want to know why this Bill was found necessary The Government can refer the matter under the Industrial Disputes Act

14 hrs

Mr. Deputy-Speaker: He need not discuss why this Bill was brought

Shri Prabhat Kar: I am just trying to point out why I have put in my amendment that we should get Parliament's sanction before the issue of the order The Government presupposes a state of emergency That is why I want Parliament should be called in such an emergency The Government prohibits the strike by an order I am not at all suggesting that the Bill should not be taken into consideration I have said that when the Central Government is satisfied in the public interest it is necessary or expedient to do so, it may by a general or special order prohibit strikes in the essential services specified in the order provided, however, that such order shall be approved by both Houses of Parliament before it comes into effect

By my next amendment, I want to omit this clause:

"4 (b) any strike declared or commenced whether before or after the issue of the Order, by

> persons employed in any such service shall be illegal"

I wish to point out that a strike which is legal under the existing law when it started cannot be declared illegal by any act At the time it started it was legal and complied with the provisions of the law governing the workers This position cannot be accepted in any circumstances When the workers gave a strike notice and commenced the strike the strike was legal To declare that strike subsequently by an order is something very bad and Parliament should not agree to this With these words, I move my amendments and I wish the hon Minister to consider them

Mr Deputy Speaker I must impress upon the hon Members one thing We have agreed to finish this clause by clause discussion by 2-20 Many of the arguments have been advanced and we have discussed them

Shri Sadhan Gupta Sir, I have moved ten amendments to this clause Nos 203, 207, 210 to 217 While I move them I must make it clear that I am totally opposed to blackest of the laws Everyone of us on this side is able to see with what vindictiveness and malice the Government proceeds against the workers

Mr Deputy Speaker It need not be pressed every time and the House has known it by now

Shri Sadhan Gupta It is not a fact that the Government has tried its best to find resources to meet at least a reasonable part of their claims I am repeating the fact that for years the Government has sat over these demands and grievances and has allowed matters to drift till it has come to a bursting point I would only request the Government to consider this thing in their own interest and in the interest of the country as a whole This kind of a vengeance does not in the last resort bring good but it will bring suffering which we might well avoid For the time being this big club of clause 3 and also subsequent clauses may suppress the workers for the time being and avoid strikes, but if the grievances are allowed to continue with the help of the big club, if they are suppressed, it cannot be imagined that this state of affairs can continue for all time Let them remember that in 1922 an Italian gentleman thought that he was good and yet within a generation he found himself an ignoble end

Mr Deputy-Speaker Does this all relate to clause 3?

Shri Sadhan Gupta. Yes, Sir I say why clause 3 should not be supported. It is a vindictive measure and if it is enacted into law, there are certain bad consequences and we are in for so much suffering It certainly relates to clause 3 Another German gentleman thought that his kingdom would be there for thousand years and that he would be there but in five years' time he brought not only himself to a wretched end but his country to a wretched condition

Shri M R Masani What about the Georgian gentleman?

Shri Sadhan Gupta He has saved his country My point is that we should not start imitating them There is no sense in imposing these repressive law Have we done everything to find the wherewithal to meet their demands? It is said that the richest of our rulers has a fortune of about Rs 500 crores, the other rulers have crores of fortunes Easily they could meet a great part of their demands and yet leave enough for their maintenance and sustenance for generations to come Have we tried to weed out corruption and save crores of rupees of the Government exchequer?

Mr Deputy-Speaker These might apply to the general discussion. I have requested the hon Members twice to confine their remarks to the amendments and talk on the amendments

Shri Sadhan Gupta. I can talk on clauses also I am explaining why it

[Shri Sadhan Gupta]

should not be accepted. I will then talk of my amendments also.

Mr. Deputy-Speaker: He is making out a case why this Bill should not be accepted. He has made his remarks on other clauses.

Shri Sadhan Gupta: I have submitted only on one clause. They have said that there are not enough resources and I say that we have not taken all the resources which ought to have taken. If the clause has to be kept, I would submit that there should be proper amendments made to restrict the mischief of the clause. I would point out certain very glaring defects in the clauses. For instance this provision for further extension for period of six months should not be there; it should be far much less. We have given notice of an amendment that the period should be 15 days. In the meantime, you can call Parliament and get it approved. If it cannot be done in 5 days, it can certainly be done in 15 days, for so important a thing as the deprivation of the right to strike by the workers. Similarly, Sir, it should not be extended for more than 15 days.

Another very serious defect in this clause is the blanket prohibition against remaining on strike. I wonder whether there are no labour officers in the Government. Once a strike is declared it cannot be called off immediately. This clause 3 would also be applicable to private industries if they are declared to be essential. If the workers in a private industry go on stirke, before they call it off it must always be made sure that there will be no victimisation, and to make it sure they have to keep the strike for some time to bring pressure on the employers to agree to no victimisation, or the Government must be prepared to compel the employers to agree to no victimisation. If the workers have to call off the strike immediately without any agreement about non-victimisation, it would be an absurd situation. As soon as the strike is called off, the leading workers would be victimised. It actually happened in a case in which I appeared before the Industrial Tribunal in regard to an airways. The Tribunal was appointed, after that the strike was prohibited and they had to negotiate for three or four days for getting this non-victimisation agreement, and because of these three or four days they were deprived of their stirke pay for those three or four days, as it continued to be an illegal strike.

These things should not happen. Remaining on strike should not be prohibited without any reasonable time-limit. Therefore, I would request the Government to bring forward an amendment to cure this defect, so that the workers may have some time to call off the strike, to wind up the strike, so to say.

This is particularly dangerous because remaining on strike would involve penalties also. That is the next clause and, if I have time, I would show how this is a very dangerous thing to penalise remaining on strike.

But, apart from penalties there are other great difficulties—everyday the unions are noticing them—in calling off strikes. Even with a non-victimisation agreement in big industries it takes time to communicate to the labourers the decision of the union. Sometimes the labourers go home in prolonged strikes. All these difficulties are there. So, technically, all these difficulties would overtake a worker to remain on strike without any intention on his part to violate the law.

I would also plead for acceptance of our amendment No. 217, which would penalise strikes declared after the issue of the notification and not before. There would be no difficulty about it. Essential services would mostly come under the public utilities as defined in the Industrial Disputes Act. Under the Industrial Disputes Act, 15 days notice must be given to declare a strike, and in those 15 days the Government may issue a notification whereby it may make the commencement of the strike illegal There would be no difficulty in accepting this amendment, and the declaration before the issue of the notification should not be penalised

So, I would once more urge upon the House to reject the whole clause If the whole clause is not rejected at least the amendments should be accepted which will make the clause less mischievous

Mr. Deputy-Speaker: The hon. Minister

Pandit Thakur Das Bhargava: I have to move my amendments

Shri V. P. Nayar. I want only two minutes

Mr. Deputy-Speaker: There are a good number of hon Members who want to speak, but I would like to draw their attention to this fact that at 14 20, or at the most we can go up to 14 30, the discussion on all the clauses must conclude Now, how is that possible? Other clauses would be left out completely

Shri V. P. Nayar· Because of its importance we may take a little more time

Mr. Deputy-Speaker. We cannot extend it beyond 10 hours which we have fixed ourselves, at least we are bound by the decision which we have ourselves taken

Shri Sadhan Gupta. We can sit half an hour longer, if that is the sense of the House

Mr. Deputy-Speaker. That too would not give us any relief I think I should call upon the hon Minister to reply and take up clauses 4 to 7 so that some time may be spent on them

Pandit Thakur Das Bhargava: Do I take it that the amendments in my name will be treated as having been moved?

Mr. Deputy-Speaker: All those amendments notices of which have been given at the Table will be deemed to have been moved

Shri V. P. Nayar: I want only two minutes. I hope the hon Minister will

Mr. Deputy-Speaker: There are, as I said, half a dozen hon. Members who want to speak If they also like the hon Member, want to take two minutes each that also means half an hour Therefore, I would request the hon Members to be patient this time

Shri Datar: Sir, in the course of the debate on this clause three or four points have been made. One is, which was very strongly urged by my friend Shri M R Masani and by Shri Frank Anthony also, that in such cases we ought to accept arbitration or some sort of conciliation Shri Anthony, it appears, was aware of the difficulties in the way and, therefore, he suggested that though we may not accept the wording of the Industrial Disputes Act as it is, we might evolve another machinery, some other machinery, by which the wishes of the persons who are likely to go on strike might be ascertained and might be met to the extent that it could be done

So far as this question is concerned, this point was raised by my hon friend Shri M R Masani in the course of the general discussion, and it has been already answered to a certain extent by the hon. Home Minister I would like to point out to both my hon friends that there are certain difficulties in accepting this particular amendment One difficulty is that the Industrial Disputes Act generally deals with industrial concerns There are also certain services which are not industrial in nature at all In such cases there is a direct relationship between the Government and these employees On a number of occasions these questions have been decided very satisfactorily after an inter-change of views

Secondly, it might also be noted— that is for my hon friend Shri Anthony, because he desired that before there was the declaration of a strike as illegal there ought to be certain steps taken in order to bring the two parties together with a view

[Shri Datar]

to see if there could be an amicable settlement—that on all these occasions such steps have been taken and, as my colleague Shri Raj Bahadur pointed out yesterday, there were as many as four or five meetings at various levels. The question was considered in all its bearings and very anxious thought was given not only by the officers of the various departments but also by the Ministers themselves. Under these circumstances, my friends need not be under any apprehension that immediately the Government would rush to declare a strike as illegal to prohibit it, and then take penal actions on the lines pointed out in this Bill.

Therefore, I would assure my friends that to the last, before any action is taken, Government would see to it that whatever is necessary is done by the Government at various levels for the purpose of easing the situation, for the purpose of preventing such threatened strikes. But, ultimately, the Government must be the last judge so far as this question is concerned. When there are so many stages and various processes through which such negotiations go, I would submit that it is not necessary to have recourse to what is laid down in the Industrial Disputes Act, as either an arbitration or conciliation, or anything informal is done and only when nothing can be done for preventing a strike or for the worsening of the situation that Government have to take action with the regret that the action has got to be taken in the interests of maintenance of service.

Then, another astounding proposition was made by Shrimati Renu Chakravartty. She stated that such powers should only be used when this country is at war with another country, or when there is any aggression or when the security of India is affected or is likely to be affected. I would point out that this is not a correct view to take at all. There are internal situations; there are internal difficulties which would, or which are likely to create perhaps greater dangers so far as the nation is concerned. If, for example, lakhs and lakhs of our Government employees go on strike, it would create a situation which has got to be handled very properly in the interests of the community. Therefore, such a power would be necessary. Such an emergency, whenever it arises, has to be satisfactorily met. Therefore, it is only for such purposes that all these powers are sought.

Then, I would point out to other friends who suggested that there was a possibility, or according to Shri Frank Anthony, there was a certainty of the abuse of the powers under this Bill when this Bill becomes an Act, one thing. Shri Frank Anthony made a special reference to the Preventive Detention Act. May I point out to him that in spite of all that has been said against it repeatedly by a number of hon. Members here, by the public outside to a certain extent, so far there has been no abuse of the Preventive Detention Act, and the number of detenus is constantly falling. What is required is that the presence on the statute-book of the Preventive Detention Act is itself a restraining influence. Therefore, I would point out that so far as this Bill is concerned, there can be no possibility of our abusing the provisions, because we are interested in carrying on the administration; we are interested in giving all the service that is possible to the community, and therefore we require the willing and voluntary services of all our Government servants and employees. Therefore, we are more interested in preventing all these strikes than others who perhaps are interested otherwise. I thus submit that there is no need for any such fear at all.

Shri Goray (Poona): This is the way you get voluntary services!

Shri Datar: Shri Keshava wanted to arm ourselves with powers of conscription. I would point out that there is no need that has arisen for doing so, thanks to the good sense and the good nature of the Indian public as such. Assuming that this threatened strike materialises, there are good sections of the people, and we are confident that they would come forward voluntarily and in a spirit of dedication to serve the country, to maintain the services to the extent that we can. I would point out here how even now there have been coming good responses from various quarters. A number of hon. Members of this House have already offered their voluntary services to us and only two days ago, the ex-Governor of Bihar, Shri R. R. Diwakar, has offered his services. So, so far as the heart of the country is concerned, it is quite sound, though attempts are made sometimes to instil into the minds of the people feelings other than legitimate. But still, whenever such a need unfortunately arises, it can be met by the voluntary and willing service, and there would be no need for any conscription at all. Therefore, I would request my hon. friend not to give us powers which we do not require at all.

Then, I would not say much about the approval so far as the order is concerned. After the strike has been declared illegal, certain action has to be taken by the Government and so far as these executive actions at various stages are concerned, it must be left to the Government to take such action, after a full appraisal or assessment of the situation as it is. The matter would come before Parliament, and Parliament will have the right to consider the merits of this particular Bill and also the manner in which this Act has been used.

Lastly reference was made to the clause 3 sub-clause (4)(b). A strike can be declared or commenced whether before or after the issue of the order. So far as this order is concerned, let there be no race between the persons who want to go on strike and the Government. It is quite likely that if they come to know that a particular order is likely to be passed, undue advantage is likely to be taken on declaring a particular strike. Therefore, Government must have the power of meeting the future mischief as well as the mischief that has already taken place. So, so far as this clause is concerned, I am quite confident that it would be used properly. But these powers, even so far as the retrospective use is concerned, are absolutely essential for maintaining the various services and objects that we have in view.

Shri V. P. Nayar: One question. In clause 3, the words 'public interest' are used. We have had no indication as to what it means. If it 'essential service', it is defined. We know what is public place, public road etc. But this is a very wide provision, and I would like to know from the hon. Minister what exactly he means by 'public interest', because I do not find any legal definition for it anywhere.

The Minister of Law (Shri A. K. Sen): 'Public interest' is like 'public order' or the 'security of the State' and is well understood, and it is a matter purely of objective tests and need not be defined.

Shri V. P. Nayar: 'Essential service' also must be understood.

Mr. Deputy-Speaker: We might leave those questions for the present, and take up clauses 4 to 7. These four clauses may be taken together.

Shri M. R. Masani: Will the amendments to clause 3 be put to vote?

Mr. Deputy-Speaker: They would be put to the vote later, after we have put clause 2 and its amendments. Meanwhile we will go on with the discussion of clauses 4, 5, 6 and 7.

Shri Prabhat Kar (Hooghly): Clause 7 may be taken separately.

Shri Datar: We are behind time.

Mr. Deputy-Speaker: Almost all the points have been made I would request the Members to be very brief in their observations

Shri Sadhan Gupta: Regarding the penal clauses, I say that they are extremely heavy and ought not to be accepted First of all, regarding clause 4 there is a penalty against remaining on strike As I had pointed out, there are many difficulties in calling off the strike at once I do not want to go into those difficulties again What I want to draw the attention of the Minister to, is, why should a persons, say, who may becoming from hone and who technically remains on strike, be convicted, because he could not join work immediately? Therefore, this remaining part of it should be modified and a reasonable time should be allowed before a man is punished

Secondly, the case of clause 4 and particularly in the case of clauses 5 and 6, the persons who expend money on strikes or the persons who instigate the strikes or who make expenditure towards the strikes are brought within the mischief of the penal clause This word 'instigation' or 'incitement' m this context has a dangerously wide connotation and it might lead all sorts of people into all sorts of difficulties For example, we on this side of the House are not of the view that the strike of the P & T and other employees is unjustified Suppose they go on strike We sympathise with their demands We will not be wanting them to go on strike in violation of the law, but we have every sympathy with their demands and as public men, we do express our sympathies If harassment comes over them, we have a right to protest against this harassment. That may be interpreted as a kind of instigation to strike, because it may be said that it encourages those persons to remain on strike. The moral support we give to their demands may encourage those persons to remain on strike Yet, when millions of people are fighting against hunger and the Government refuses to concede their demands to a reasonable extent, we must be left free as public men to express our sympathies with them and if any oppression descends upon them to protest against that oppression That is the reason why I oppose clause 5

Regarding clause 6, trade unionists collect strike funds and it may be that the strike funds may have to be expended just to give relief to certain workers For instance, the strike might have continued and in the meantime, it might have been declared illegal Without knowing about the declaration, strike funds might be expended in giving relief on the day the notification is issued In such a case, the person would be brought under the mischief of the law Whatever the cause may be, the expenditure of strike funds to give relief to strikes who might need immediate relief should not be made penal in any case After all, we do not have any large strike funds and that cannot make a very great difference to strike Therefore, trade unionists and others connected with the labour organisations should be exempted at least from the mischief of clause 6

The only other point I want to draw the attention of the House to is that the punishment in each case is extremely heavy A nominal punishment is enough m order to impress on the necessity of not going on strike Let us remember that here we deal with Government servants and whatever the punishments may be, they have other consequences on them Therefore, there is no sense in punishing them so heavily

Under these circumstances, I would urge the House to accept our amendments I have proposed a number of amendments to these three clauses and I recommend them to the acceptance of this House.

Shri Mahanty (Dhenkanal): Mr. Deputy-Speaker, I gave notice of an amendment for the omission of clause 5, but that amendment was not printed on the list, presumably because such amendments for wholesale omission of a clause are not printed. The draconic nature of this clause is self-evident. It not only prohibits a strike in any essential service, but it goes far beyond that. Any person who incites or acts in furtherance of a strike is sought to be penalised here and the terms of the punishment far exceed the punishment that is to be meted out to the main offender. I am not a lawyer, but I know the rudimentary principles of criminal jurisprudence and I know that the abetment in an offence cannot be awarded a punishment which is more than the punishment for the main offence. I think nowhere in the Penal Code it can be pointed where abetment is awarded a more rigorous punishment than the main offence. That is why I would like this clause to be deleted totally.

This also violates the fundamental rights guaranteed under article 19 (a) and (b) of the Constitution. Of course it is true that the fundamental rights enumerated under article 19 have been restricted by so many other considerations like public security and morality, etc. But peaceful incitement to a strike cannot be considered as an action which runs counter to the security of the State.

Yesterday the hon. Home Minister was pleased to cite instances of British regulations passed in the year 1949. We need not go that far. Only this year in the month of May, as emergency was declared in the United Kingdom, when the locomotive drivers and the firemen of the British railway service declared a strike on May 28th. On that occasion, the Queen proclaimed an emergency which contained 25 regulations. I have got all of them in my hand. Regulation No. 14 did provide that persons will be penalised for acts of sabotage. The regulations numbering from 15 to 21 dealt with the preservation of public order and prescribed penalties for offences against the regulation. But it had been specifically said there that peacefully persuading others to take part in strike was not an offence. I would like the hon. Home Minister to contradict this statement.

Those regulations prescribe that a person who has been charged of the offence may receive 3 months imprisonment or fine extending to £ 100 or both, only for acts of sabotage. But those draconian regulations never banned the right to strike. Even during the days of the last great world war, a number of regulations were framed in U.K. I have got the synopsis of those regulations with me. Under the Emergency Act of 1940, an essential works order was also passed. Though that order framed many regulations to face the situation, it never banned the right of the citizens to incite or to further a strike.

Under these circumstances, we feel that it is really tragic and most unfortunate that the party in power, assured of a majority, should rush and bring about a legislation which carries us not a step forward, but many steps backward, in the progress of our democratic movement. Since time is very limited, I would not dilate at length on these points. But I would once again appeal to the collective wisdom of this House not to be carried away by subjective passions, not to be carried away by the assurance of a majority, but to look at it from wider and more liberal points of view and at least to agree to the proposal of the omission of this clause No. 5.

Mr. Deputy-Speaker: The following are selected amendments which have been indicated by the Members to be moved:

Clause No.	*Amendment No.*
2	185, 3. 25. 26, 27, 120, 121, 122, 123, 379, 380, 381, 124, 382, 383, 384, 385, 386, 125, 126. 127. 128, 129 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 188, 425, 32, 190, 191, 33, 193, 34, 388, 389, 143, 306, 194. 35, 197, 196. 195, 309, 310, 392, 391, 393, 198, 428, 495, 496, 199, 37, 200, 150, 201, 202, 497.
3	397, 38, 203, 204, 88, 154, 315, 155, 205, 483, 156, 207, 430, 317, 401, 39, 209, 157, 208, 210, 432, 211, 212, 319, 89, 213, 214, 4, 215, 216, 217, 218, 219, 220, 502.
3A (New)	485
4	436, 471, 221, 437, 222, 438, 504, 5. 439, 473, 42, 224, 44, 226, 227, 228, 229, 230, 231, 233, 234, 235, 48, 236, 237, 238, 239, 240, 241, 242, 243, 328, 6, 405, 505.
5	246, 247, 248, 332, 474, 7, 475, 50, 162, 250, 251, 252, 253, 254, 255, 256, 257. 163. 258. 51, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 8, 409.
6	164, 270, 271, 272, 273, 274, 341, 440, 275, 276. 9. 278, 477, 279, 280, 344, 346, 347, 348, 350, 351, 352, 353, 354, 855, 356, 357, 358, 359, 10.
7	282, 413, 55, 285, 360, 361, 362, 363, 364, 365, 366, 367, 368, 442, 414, 478, 11, 287, 444.
7A (New)	288
8	178, 289, 480, 105, 370, 371 372, 510.
9	56, 57, 418, 419, 420, 421, 422.
(New) 1	109, 108. 463 181, 182, 20, 374. 464, 423, 1, 183, 375, 465. 111, 112, 113, 114, 184, 424, 23, 2, 116.
Enacting Formlua	373
Long Title	107, 106, 462, 180, 18.

Clause 2—(*Definition*)

Shri B. C. Kamble: I beg to move:

Page 1, line 11,—

add at the end—

"a service, in the interest of general public order or morality essential and may include". (185)*

Shri Naushir Bharucha: I beg to move:

Page 2,—

after line 11, *add*—

"Provided that such notification shall not take effect unless the same has been approved of by both the Houses of Parliament." (3)

Shri V. P. Nayar: I beg to move:

Page 1,—

(i) *omit* lines 12 to 20; and

(ii) *omit* lines 26 to 31. (25)

Shri T. B. Vittal Rao: I beg to move:

(1) Page 1,—

omit line 12. (26).

(2) Page 1, line 12,—

omit "postal". (27)

Shri Sadhan Gupta: I beg to move:

(1) Page 1, line 12,—

omit "telegraph". (120)

(2) Page 1, line 12,—

omit "or telephone" (121)

(3) Page 1, line 13,—

omit "any railway service, or" (122)

(4) Page 1, lines 13 to 15,—

omit "or any other transport service for the carriage of passengers or goods by land, water or air" (123)

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*The original Nos. of the amendments given in brackets at the end of the text, have alone been reproduced at the stage of the final disposal.

(5) Page 1, line 14,—

omit "land" (379)

(6) Page 1, line 14,—

omit "water". (380)

(7) Page 1, lines 14 and 15,—

for "water or air" *substitute* "or water" (381)

(8) Page 1,—

omit lines 16 to 18. (124)

(9) Page 1, line 16,—

omit "operation or" (382)

(10) Page 1, lines 16 and 17,—

omit "or maintenance" (383)

(11) Page 1, line 17,—

omit "operation". (384)

(12) Page 1, line 17,—

omit "repair". (385)

(13) Page 1, lines 17 and 18,—

for "repair or maintenance" *substitute* "or repair". (386)

(14) Page 1,—

omit lines 19 and 20. (125)

(15) Page 1, line 19,—

omit "leading". (126)

(16) Page 1, line 19,—

omit "unloading". (127)

(17) Page 1,—

omit line 21. (128)

(18) Page 1, line 21,—

omit "mint or". (129)

(19) Page 1, line 21,—

omit "or security press". (130)

(20) Page 1,—

omit lines 22 to 25. (131)

(21) Page 1, line 23,—

omit "manufacture". (132)

(22) Page 1, line 24,—

omit "storage or". (133).

(23) Page 1, line 24,—

omit "or distribution". (134)

(24) Page 1, line 24,—

omit "arms". (135)

(25) Page 1, line 24,—

omit "ammunition or". (136)

(26) Page 1, lines 24 and 25,—

omit "or other military stores". (137)

(27) Page 1, line 25,—

omit "or equipment". (138)

(28) Page 1, line 25,—

add at the end—

"when the Union of India is engaged in a war with any foreign power or powers". (139)

Shri B. C. Kamble: I beg to move:

Page 1,—

after line 25 *add*—

"Provided that before any service or services are declared as essential the 'essential' pay structure and essential service conditions of all categories of employees in the so declared essential services shall first to be determined by the Act of Parliament." (188)

Shrimati Ila Palchoudhuri: I beg to move.

Page 1,—

after line 25 *add*—

"(via) any service connected with the maintenance of law and order in any Union territory;

(vib) any service connected with the sanitation of any Union territory;

(vic) any service connected with the health of the community of any Union territory;

(vid) any service connected with thermal and hydel power stations." (425)

Shri T. B. Vittal Rao: I beg to move:

Page 1,—

omit lines 26 to 31. (82)

Shri Sadhan Gupta: I beg to move:

(1) Page 1, lines 27 and 28,—

omit "would prejudicially affect the maintenance of any public utility service or" (190)

(2) Page 1, lines 28 and 29,—

omit "or would result in the infliction of grave hardship on the community". (191)

Shri T. B. Vittal Rao: I beg to move:

Page 1, line 30,—

after "may" *insert* "with the previous approval of the Parliament". (33)

Shri Surendranath Dwivedy: I beg to move:

Page 1, line 31,—

add at the end—

"and such notification would have no validity under the law unless it is placed and approved by the Parliament". (193)

Shri T. B. Vittal Rao: I beg to move:

Page 1,—

after line 31 *add*—

"Provided that nothing contained in clause (vii) shall empower the Government to issue the notification specified therein except when the Union of India is in a state of war with any foreign power or powers." (34)

Shri Das Gupta: I beg to move:

Page 2,—

omit lines 1 to 5. (388)

Shri S. Ghose: I beg to move:

Page 2, line 1,—

after '"strike" means' *insert* "total and complete cessation of work" (389)

Shri Prabhat Kar: I beg to move:

Page 2, line 2,—

omit "acting in combination or a concerted refusal or a refusal under a common understanding of any number of persons who are or have been so employed to continue to work or to accept employment". (143)

Shri Anthony Pillai: I beg to move:

Page 2, line 4,—

omit "or have been so employed". (306)

Shri B. C. Kamble: I beg to move:

Page 2, line 5,—

omit "or to accept employment". (194)

Shri T. B. Vittal Rao: I beg to move:

Page 2, line 5,—

add at the end—

"but shall not include cessation of work or refusal to continue to work by person or persons employed in essential service for the purpose of settlement of disputes regarding terms, remuneration and other conditions of service." (35)

Shri Surendranath Dwivedy: I beg to move:

Page 2, line 5,—

add at the end—

"and this definition will not apply to 'strikes' which are started after giving due notice to the authorities concerned". (195)

Shri Sadhan Gupta: I beg to move:

(1) Page 2, line 5,—

add at the end—

"but shall not include cessation or refusal of work for settlement of industrial disputes within the meaning of the Industrial Disputes Act". (197)

(2) Page 2, line 5,—

add at the end—

"but shall not include cessation of work or refusal to continue to work for settlement of disputes relating to remuneration, terms and conditions of service". (196)

Shri Parulekar: I beg to move:

Page 2, line 5,—

add at the end—

"but shall not include strikes which are not illegal under section 24 of the Industrial Disputes Act, 1947 and which are resorted to after the negotiations for the settlement of the trade disputes have failed."

Shri Anthony Pillai: I beg to move:

Page 2, line 5,—

add at the end—

"for a reason unconnected with industrial disputes relating to wages and other working conditions". (310)

Shri S. Ghose: I beg to move:

Page 2,—

after line 5 *add*—

"(i) it shall not be applicable to such cessation of work which appears to have arisen out of an attempt to redress a legitimate grievance or for establishment of a right;

(ii) it shall not be applicable to such cessation of work, which appears to have arisen out of intimidation, coercion, threat, undue influence by the strikers or by the public;

(iii) it shall not be applicable to such cessation of work, if it appears that the person or persons ceasing to work has or have reasonable apprehension of recent or future trouble in his or their mind unless he or they ceases or cease to work." (391)

Shri Ghosal: I beg to move:

Page 2,—

after line 5 *add*—

"But it shall not include any strike if notice of the same is given duly as prescribed in the Industrial Disputes Act." (392)

Shrimati Renu Chakravartty: I beg to move:

Page 2,—

omit lines 6 to 14. (393).

Shri B. C. Kamble: I beg to move:

Page 2,—

for lines 6 to 14 *substitute*—

"(2) Subject to clause (1) the Union Government may declare the services, which in the opinion of Government are essential by an Official notification which shall forthwith be laid on the Table of each House of Parliament." (198)

Pandit Thakur Das Bhargava: I beg to move:

Page 2, line 6,—

before "Every notification" *insert*—

"No notification under sub-clause (vii) of clause (a) of sub-section (1) shall be issued when both Houses of Parliament are in session unless the same is approved by both the Houses. If any such notification is issued when both the Houses are not in session."

Shri Narayanankutty Menon: I beg to move:

(1) Page 2, line 8,—

after "made" *insert*—

"and no such notification shall take effect until the said notification is approved by both Houses of Parliament." (495)

(2) Page 2, lines 8 to 11,—

omit "and shall cease to operate at the expiration of forty days from the reassembly of Parliament unless before the expiration of that period a resolution approving the issue of the notification is passed by both Houses of Parliament." (496)

Shri Prabhat Kar:
Shri Sadhan Gupta: } —

I beg to move·

Page 2 lines 8 to 11,—

for "and shall cease to operate at the expiration of forty days from the re-assembly of Parliament unless before the expiration of that period a resolution approving the issue of the notification is passed by both Houses of Parliament" *substitute*—

"and shall come into operation after the approval by both Houses of Parliament" (199).

Shri V. P. Nayar: I beg to move

Page 2,—

for lines 9 to 14, *substitute*—

"expiration of four days from the adjournment of the House *sine die*" (37)

Shri Sadhan Gupta: I beg to move

Page 2, line 9,—

for "forty days" *substitute* "thirty days." (200).

Shri Prabhat Kar: I beg to move

Page 2,—

after line 11 *add*—

"Provided however that such notification shall not come into effect unless approved by both the Houses of the Parliament." (150).

Shri Sadhan Gupta: I beg to move·

(1) Page 2, line 13,—

for "forty days" *substitute* "thirty days" (201)

(2) Page 2, line 14,—

for "later" *substitute* "earlier" (202)

Shri Narayanankutty Menon: I beg to move

Page 2,—

after line 14, *add*—

"(3) Before every such notification is made, not less than thirty days notice shall be given to any person or persons who may be affected by such notification and sufficient opportunity shall be given to such persons or class of persons to show cause why such notification shall not be issued" (497)

Clause 3—(*Power to prohibit strikes in certain employments*)

Shrimati Renu Chakravartty: I beg to move

Page 2,—

for lines 15 to 21, *substitute*—

"3 (1) No strike in any essential service shall be prohibited except for the security of the State when it is facing external aggresion and is in a state of war" (397)

Shri V P Nayar: I beg to move·

Page 2,—

(i) *line* 18, after "it may" *insert*—

"for reasons to be recorded in writing and approved by the President of India", and

(ii) *after* line 18, *add*—

"Provided that the Central Government shall if either of the Houses of Parliament is in session, lay a copy of the Order, the reasons recorded in writing and the approval of the President of India" (38)

Shri Sadhan Gupta: I beg to move.

Page 2, line 16,—

after "it may" *insert* "with the previous approval of both Houses of Parliament." (203).

Shri Tangamani: I beg to move:

Page 2, line 16,—

after "it may" *insert* "with the approval of the President". (204).

Shri Jadhav: I beg to move:

(1) Page 2, line 18,

add at the end—

"and shall refer the dispute in the said essential service to a Tribunal for settlement." (88).

(2) Page 2, line 18,—

add at the end—

"and the Central Government shall refer the dispute in the said Essential Service to a Tribunal for settlement." (154).

Shri Prabhat Kar: I beg to move:

Page 2,—

after line 18 *add*—

"Provided however that such order shall be approved by both the Houses of the Parliament before it comes into effect" (155)

Shri B C Kamble: I beg to move:

Page 2,—

after line 18 *add*—

"Provided the Government shall not issue any such Order unless the Government have requested the President to consult the Supreme Court on the situation arisen under Article 143 and the President has been in the receipt of a report from the Supreme Court concurring in the opinion of Government and firstly that the said Report has been laid on the Table of both Houses of Parliament." (205).

Shri M. R. Masani: I beg to move:

Page 2,—

after line 18, *add*—

"Provided that prior to any such order being made, Government shall refer the dispute and any matter appearing to be connected with or relevant to such dispute to a Tribunal for adjudication." (483).

Shri Easwara Iyer: I beg to move: Page 2,—

for lines 19 to 21 *substitute*—

"An Order made under sub-section (1) shall be published in the Official Gazette, in all leading daily newspapers both English and Vernacular in every State in the Union, and copies of the Order shall also be served on all the trade unions and associations in the manner prescribed by the Code of Civil Procedure 1908, for the service of summons" (156).

Shri Sadhan Gupta: I beg to move: Page 2,—

for lines 19 to 21, *substitute*—

"(2) An Order made under sub-section (1) shall be published in the Official Gazette, in all leading daily newspapers both English and vernacular in every State in the Union, and copies of the Order shall also be served on all the registered trade unions and associations in the manner prescribed by the Code of Civil Procedure for the service of summons" (207).

Pandit Thakur Das Bhargava: I beg to move:

Page 2, line 20,—

for "such manner" *substitute* "the Official Gazette and in such other manner" (430)

Shri Parulekar: I beg to move:

Page 2, line 20,—

omit "the Central Government considers" (317)

Shri S Ghose: I beg to move:

Page 2, line 21,—

add at the end—

"and such publication shall be in such a manner which shall be considered to be sufficient to prove the knowledge of the person affected by the order according to the particular circumstances of each case." (401).

Shri V. P. Nayar: I beg to move:

Page 2,—

after line 21, *add*—

"Provided that the onus of proving that the persons affected by such Order had such notice shall be on the Government of India." (39).

Shri Tangamani: I beg to move:

Page 2, lines 23 to 25,—

omit "but the Central Government may, by a like Order, extend it for any period not exceeding six months if it is satisfied that in the public interest it is necessary or expedient so to do." (209).

Shri Easwara Iyer: I beg to move:

Page 2, line 23,—

for "six months" *substitute* "ten days" (157)

Shri Tangamani: I beg to move:

Page 2, line 23,—

for "six months" *substitute* "two months". (208).

Shri Sadhan Gupta: I beg to move:

Page 2, line 23,—

for "six months" *substitute* "fifteen days". (210).

Shri Vasudevan Nair: I beg to move.

Page 2, line 23,—

for "six months" *substitute* "one week" (432)

Shri Sadhan Gupta: I beg to move:

(1) Page 2, line 24,—

for "six months" *substitute* 'fifteen days" (211).

(2) Page 2,—

after line 25, *add*—

"Provided that the Central Government shall not have the power to extend the period specified above more than once." (212).

Shri Jadhav: I beg to move:

Page 2,—

omit lines 26 to 31. (89).

Shri Jadhav: I beg to move:

Page 2,—

omit lines 26 to 31. (160).

Shri Sadhan Gupta: I beg to move:

(1) Page 2, line 28,—

omit "go or" (213).

(2) Page 2, line 28,—

omit "or remain" (214).

Shri Naushir Bharucha: I beg to move:

Page 2,—

omit lines 29 to 31. (4).

Shri V. P. Nayar: I beg to move:

Page 2,—

omit lines 29 to 31. (40).

Shri Prabhat Kar: I beg to move:

Page 2,—

omit lines 29 to 31 (161).

Shri Sadhan Gupta: I beg to move:

(1) Page 2, line 29,—

omit "declared or" (215).

(2) Page 2, line 29,—

omit "or commenced" (216)

Shri S. C. Gupta: I beg to move:

Page 2, line 29,—

omit "whether before or" (217).

Shri Surendranath Dwivedy: I beg to move

(1) Page 2, line 31,—

for "illegal" *substitute* "legal" (218).

(2) Page 2, line 31,—

add at the end—

"and that no strike be declared illegal if due notice has been served on the appropriate authorities under due process of law." (219).

Shri B. C. Kamble: I beg to move:

Page 2,—

after line 31, *add*—

"Provided where notice of strike in any service is duly already given prior to issue of such Order under any law in force then the strike following such notice shall never be deemed to be illegal." (220).

Shri Narayanankutty Menon: I beg to move:

Page 2,—

after line 31, *add*—

"Provided that no such strike shall be deemed to be illegal unless all the demands of the employees of such essential service pending on the day of the commencement of the strike is referred for adjudication under sub-section (5) of section 12 of the Industrial Disputes Act, 1947 (XIV of 1947)." (502).

Shri Parulekar: I beg to move:

Page 2, after line 25, *add*,—

"Provided that the order is laid before each House of the Parliament as soon as may be after it is made and it is approved by both Houses of Parliament within three days from the reassembly of the Parliament." (319).

New Clause 3A

Shri N. Keshava: I beg to move:

Page 2,—

after line 31 *insert*—

"(3A) Upon the issue of an order under sections 2 and 3, the Central Government shall conscript any person if it is so satisfied he or she is fit to do the job to do any task in any such essential service so declared and the said person shall serve in the said job so described for a period of 6 months from the date of such order." (485).

Clause 4—Penalty for illegal strikes

Shrimati Ila Palchoudhuri: I beg to move:

Page 2,—

for clause 4 *substitute*,—

"4. Any person who commences a strike or remains on strike or otherwise takes part in a strike which is illegal under this Act shall be punishable with simple imprisonment for a term which may extend to one year or with a fine which may extend to five hundred rupees." (436).

Shri S. M. Banerjee: I beg to move:

Page 2, line 32,—

after "strike" *insert* "other than a justified strike". (471).

Shri Sadhan Gupta: I beg to move:

Page 2, lines 32 and 33,—

omit "or remains or otherwise takes part in a strike" (221).

Shrimati Ila Palchoudhuri: I beg to move:

Page 2, line 32,—

after "remains" *insert* "on strike" (437).

Shri Sadhan Gupta: I beg to move:

Page 2, lines 32 and 33,—

omit "or otherwise takes part" (222).

Pandit Thakur Das Bhargava: I beg to move:

Page 2, lines 32 and 33,—

for "or otherwise takes part in a strike" *substitute* "on or otherwise acts in furtherance of a strike" (438)

Shri Narayanankutty Menon: I beg to move:

Page 2, lines 34 and 35,—

omit "with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees, or with both". (504)

Shri Naushir Bharucha: I beg to move:

Page 2, lines 34 and 35,—

omit "with imprisonment for a term which may extend to six months, or" (5).

Shri Vasudevan Nair: I beg to move:

Page 2, lines 34 and 35,—

for "with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees, or with both" *substitute*—

"with a fine not exceeding five rupees" (439).

Shri S. M. Banerjee: I beg to move:

Page 2, lines 34 and 35,—

for "with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees, or with both" *substitute*—

"with fine which may extend to ten rupees" (473).

Shri V. P. Nayar: I beg to move:

Page 2, line 34,—

after "with" *insert* "simple" (42).

Shri Surendranath Dwivedy: I beg to move:

Page 2,—

(i) line 34, *for* "six months" *substitute* "one day"; and

(ii) line 35, *for* "two hundred rupees" *substitute* "two rupees" (224).

Shri V. P. Nayar: I beg to move:

Page 2, line 34,—

for "six months" *substitute* "forty eight hours" (44).

Shri Sadhan Gupta: I beg to move:

(1) Page 2, line 34,—

for "six months" *substitute* "seven days" (226).

(2) Page 2, line 34,—

for "six months" *substitute* "fifteen days" (227).

(3) Page 2, line 34,—

for "six months" *substitute* "twentyone days" (228).

(4) Page 2, line 34,—

for "six months" *substitute* "one month" (229).

(5) Page 2, line 34,—

for "six months" *substitute* "forty-five days" (230).

(6) Page 2, line 34,—

for "six months" *substitute* "two months" (231).

(7) Page 2, line 34,—

for "six months" *substitute* "seventy-five days" (233).

(8) Page 2, line 34,—

for "six months" *substitute* "three months" (234).

(9) Page 2,—

omit line 35. (235).

Shri V. P. Nayar: I beg to move:

Page 2, line 35,—

for "two hundred rupees" *substitute* "two rupees" (48).

Shri Sadhan Gupta: I beg to move:

(1) Page 2, line 35,—

for "two hundred rupees" *substitute* "one naya paisa" (236).

(2) Page 2, line 35,—

for "two hundred rupees" *substitute* "one rupee" (237)

(3) Page 2, line 35,—

for "two hundred rupees" *substitute* "two rupees" (238)

(4) Page 2, line 35,—

for "two hundred rupees" *substitute* "five rupees" (239)

(5) Page 2, line 35,—

for "two hundred rupees" *substitute* "ten rupees" (240)

(6) Page 2, line 35,—

for "two hundred rupees" *substitute* "twenty rupees" (241)

(7) Page 2, line 35,—

for "two hundred rupees" *substitute* "twenty-five rupees" (242)

Shri Tangamani: I beg to move

Page 2, line 35,—

for "two hundred rupees" *substitute* "fifty rupees" (243)

Shri V P. Nayar: I beg to move

Page 2, line 35,—

for "rupees" *substitute*—"naye paise" (323)

Shri Naushir Bharucha. I beg to move

Page 2, line 35,—

omit "or with both" (6)

Shri S Ghose I beg to move

Page 2,—

after line 35 *add*—

"*Explanation*—Any abolition of work not without reasonable and probable cause and in absence of any overt act, it shall not be treated as commencing or remaining or otherwise taking part in a strike" (405)

Shri Narayanankutty Menon: I beg to move

Page 2,—

after line 35, *add*—

"Provided that no other punishment either by way of discharge, dismissal, suspension or otherwise shall be inflicted upon such person" (505)

Clause 5—(*Penalty for instigation etc*

Shri Sadhan Gupta: I beg to move:

(1) Page 2, line 36,—

omit "instigates, or" (246)

(2) Page 2, line 36,—

omit "or incites" (247).

(3) Page 2, line 37,—

omit "or otherwise acts in furtherance of" (248)

Shri Parulekar: I beg to move.

Page 2, line 37,—

for "which is" *substitute* "after it is declared" (332)

Shri S M. Banerjee: I beg to move:

Page 2, line 37,—

after "illegal" *insert* "and unjustified" (474)

Shri Naushir Bharucha: I beg to move

Page 2, lines 38 and 39,—

omit "with imprisonment for a term which may extend to one year, or" (7)

Shri S. M Banerjee. I beg to move:

Page 2, lines 38 to 40,—

for "with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both" *substitute*—

"with fine which may extend to rupees ten" (475)

Shri V P. Nayar: I beg to move:

Page 2, line 39,—

for "one year" *substitute* "twenty-four hours" (50)

Shrimati Parvathi Krishnan: I beg to move:

Page 2, line 39,—

for "one year" *substitute* "seven days" (162)

Shri Tangamani: I beg to move.

Page 2, line 39,—

for "one year" *substitute* "one month" (250)

Shri Sadhan Gupta: I beg to move:

(1) Page 2, line 39,—

for "one year" *substitute* "forty-eight hours" (251)

(2) Page 2, line 39,—

for "one year" *substitute* "one day" (252)

(3) Page 2, line 39,—

for "one year" *substitute* "two days" (253)

(4) Page 2, line 39,—

for "one year" *substitute* "five days" (254)

(5) Page 2, line 39,—

for "one year" *substitute* "seven days" (255)

(6) Page 2, line 39,—

for "one year" *substitute* "fifteen days" (256)

(7) Page 2, line 39,—

for "one year" *substitute* "twenty-one days" (257)

Shrimati Parvathi Krishnan: I beg to move

Page 2, lines 39 and 40,—

omit "or with fine which may extend to one thousand rupees, or with both" (163)

Shri Sadhan Gupta: I beg to move

Page 2, lines 39 and 40,—

omit "or with fine which may extend to one thousand rupees, or with both" (258)

Shri V. P. Nayar: I beg to move:

Page 2, line 40,—

for "one thousand rupees" *substitute* "one rupee" (51).

Shri Sadhan Gupta: I beg to move:

(1) Page 2, line 40,—

for "one thousand rupees" *substitute* "five naya paisa" (259).

(2) Page 2, line 40,—

for "One thousand rupees" *substitute* "ten naya paisa" (260)

(3) Page 2, line 40,—

for "One thousand rupee" *substitute* "twenty naya paisa" (261)

(4) Page 2, line 40,—

for "one thousand rupees" *substitute* "fifty naya paisa" (262)

(5) Page 2, line 40,—

for "one thousand rupees" *substitute* "one rupee" (263)

(6) Page 2, line 40,—

for "one thousand rupees" *substitute* "five rupees" (264)

Shri Tangamani. I beg to move:

Page 2, line 40,—

for "one thousand" *substitute* "one hundred" (265)

Shri Sadhan Gupta. I beg to move:

(1) Page 2, line 40,—

for "one thousand rupees" *substitute* "twenty-five rupees" (266).

(2) Page 2, line 40,—

for "one thousand rupees" *substitute* "fifty rupees" (267)

(3) Page 2, line 40,—

for "one thousand rupees" *substitute* "one hundred rupees" (268).

Shri Naushir Bharucha: I beg to move

Page 2, line 40,—

omit "or with both" (8).

Shri S. Ghose: I beg to move:

Page 2,—

after line 40 *add*—

"*Explanation*.—Any expression of sympathy with a strike or any request to join a strike shall not be considered as instigating or inciting other persons to take part, or otherwise acting in furtherance of a strike." (409).

Clause 6— (*Penalty for giving financial aid to illegal strikes*).

Shrimati Parvathi Krishnan: I beg to move:

Page 3, line 1,—

after "Any person" *insert*—

"other than a person employed in an essential service as defined by this Act" (164).

Shri Sadhan Gupta: I beg to move:

(1) Page 3, line 1,—

after "Any person" *insert*—

"other than a person employed in an essential service as defined by this Act" (270)

(2) Page 3, line 1,—

after "Any person" *insert*—

"other than a person who is a member of a registered trade union or association" (271).

Shri Tangamani: I beg to move:

Page 3, line 1,—

after "Any person" *insert* "other than concerned workmen or sister trade unions" (272).

Shri Sadhan Gupta: I beg to move:

(1) Page 3, line 1,—

omit "expends or" (273).

(2) Page 3, line 1,—

omit "or supplies" (274).

(3) Page 3, line 1,—

after "any money" *insert* "exceeding one thousand rupees in one transaction", (341).

Pandit Thakur Das Bhargava: I beg to move:

Page 3, line 1,—

after "in" *insert* "direct" (440).

Shri Sadhan Gupta: I beg to move:

Page 3, line 2,—

omit "or support" (275).

Shri Surendranath Dwivedy:

Page 3, lines 2 to 5,—

for "which is illegal under this Act shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both" *substitute* "shall not be punishable in any law for such action" (276).

Shri Naushir Bharucha: I beg to move:

Page 3, lines 3 and 4,—

omit "with imprisonment for a term which may extend to one year, or" (9).

Shri Tangamani: I beg to move:

Page 3, lines 3 to 5,—

for "with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both" *substitute* "with admonition" (278).

Shri S. M. Banerjee: I beg to move:

Page 3, lines 3 to 5,—

for "with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both" *substitute*—

"with fine which may extend to ten rupees" (477).

Shri Sadhan Gupta: I beg to move:

(1) Page 3, line 4,—

for "one year" *substitute* "seven days" (279).

(2) Page 3, lines 4 and 5,—

omit "or with fine which may extend to one thousand rupees, or with both" (280).

(3) Page 3, line 4,—

for "one year" *substitute* "one day" (344).

(4) Page 3, line 4,—

for "one year" *substitute* "fifteen days" (346).

(5) Page 3, line 4,—

for "one year" *substitute* "twenty-five days" (347).

(6) Page 3, line 4,—

for "one year" *substitute* 'one month" (348)

(7) Page 3, line 4,—

for "one thousand rupees" *substitute* "five naya paisa". (350).

(8) Page 3, line 4,—

for "one thousand rupees" *substitute* "ten naya paisa" (351).

(9) Page 3, line 4,—

for "one thousand rupees *substitute* "tewenty-five naya paisa". (352)

(10) Page 3, line 4,—

for "one thousand rupees" *substitute* "fifty naya paisa" (353).

(11) Page 3, line 4,—

for "one thousand rupees" *substitute* "one rupee" (354)

(12) Page 3, line 4,—

for "one thousand rupees" *substitute* "five rupees" (355)

(13) Page 3, line 4,—

for 'one thousand rupees" *substitute* "ten rupees" (356).

(14) Page 3, line 4,—

for 'one thousand rupees" *substitute* "twenty-five rupees" (357).

(15) Page 3, line 4,—

for "one thousand rupees" *substitute* "fifty rupees" (358).

(16) Page 3, line 4,—

for "one thousand rupees" *substitute* "one hundred rupees" (359).

Shri Naushir Bharucha: I beg to move:

Page 3, line 5,—

omit "or with both" (10).

Clause 7—(*Power to arrest without warrant.*)

Shri Sadhan Gupta: I beg to move:

(1) Page 3, lines 7 to 9,—

for "any police officer may arrest without warrant any person who is reasonably suspected of having committed any offence under this Act" *substitute*—

"any offence committed under this Act shall be non-cognizable within the definition contained in this said Code" (282)

(2) Page 3, line 7,—

for "police officer" *substitute* "Magistrate of the 1st Class" (413).

Shri V P Nayar: I beg to move:

Page 3, line 7,—

after "any police officer" *insert* "not below the rank of a District Superintendent" (55).

Shri Sadhan Gupta: I beg to move:

(1) Page 3, line 7,—

after "any police officer" *insert*—"not below the rank of a District Superintendent of Police" (285).

(2) Page 3, line 7,—

for "police officer" *substitute* "Inspector General of Police" (360).

(3) Page 3, line 7,—

after "police officer" *insert* "not below the rank of a Deputy Inspector General of Police" (361)

(4) Page 3, line 7,—

after "police officer" *insert* "not below the rank of a Superintendent or Commissioner of police" (362)

(5) Page 3, line 7,—

after "police officer" *insert* "not below the rank of a Deputy Superintendent or Deputy Commissioner of police" (363)

(6) Page 3, line 7,—

after "police officer" *insert* "not below the rank of Assistant Superintendent or Assistant Commissioner of Police". (364)

(7) Page 3, line 7,—

after "police officer" *insert* "not below the rank of a Circle Inspector of Police" (365)

(8) Page 3, line 7,—

after "police officer" *insert* "not below the rank of an Inspector" (366)

(9) Page 3, line 7,—

after "police officer" *insert* "not below the rank of a Sub-Inspector of Police". (367)

(10) Page 3, line 7,—

after "police officer" *insert* "not below the rank of an Assistant Sub-Inspector of Police" (368)

Shrimati Ila Palchoudhuri: I beg to move:

Page 3, line 7,—

after "officer" *insert* "not below the rank of an Assistant Sub-Inspector"

Shri Sadhan Gupta: I beg to move:

Page 3, line 7,—

after "police officer" *insert* "not below the rank of a Head Constable of Police" (414)

Shri S.M. Banerjee: I beg to move:

Page 3, line 7,—

after "any police officer" *insert* "not below the rank of D. I. G." (478)

Shri Naushir Bharucha: I beg to move:

Page 3, line 8,—

for "who is reasonably suspected of having" *substitute* "who has" (11)

Shri B. C. Kamble: I beg to move:

Page 3, line 8,—

after "having committed" *insert* "violance in furtherance of" (287)

Pandit Thakur Das Bhargava: I beg to move:

Page 3,—

for line 9, *substitute*—

"Under section 4 of this Act and any police officer incharge of a Police Station may arrest any person who is reasonably suspected of having committed any offence under this Act" (444)

New Clause 7-A

Shri Sadhan Gupta: I beg to move:

Page 3,—

after line 9, *insert*—

"7A. Any offence committed under this Act shall not be deemed to be an offence involving moral turpitude and shall not render any person convicted liable for any penalty, forfeiture, loss of emoluments, terms and conditions of service or misconduct within the meaning of any rules regulating the terms and conditions of service in force." (288).

Clause 8—(*Act to override other laws*).

Shri Prabhat Kar: I beg to move:

Page 3,—

for clause 8 *substitute*—

"8. The provisions of the act shall not have any effect whenever

[Shri Prabhat Kar]

it is inconsistent with the provision of the Industrial Disputes Act, 1947 and any other law that may at that time be in force." (178).

Shri Sadhan Gupta: I beg to move:

Page 3,—

for lines 11 to 13, *substitute*—

"shall not override the provisions contained in the Industrial Disputes Act, 1947, or any other law for the time being in force" (289)

Shri K. K. Warior: I beg to move:

Page 3, lines 11 to 13,—

for "notwithstanding anything inconsistent therewith contained in the Industrial Disputes Act, 1947, or in any other law for the time being in force" *substitute*—

"So far as they are consistent with the provisions of the Industrial Disputes Act 1947" (460).

Shri Naushir Bharucha: I beg to move:

Page 3, line 11.—

for "notwithstanding anything inconsistent therewith" *substitute* "to the extent that they are consistent with the provisions" (105).

Shri Sadhan Gupta: I beg to move:

(1) Page 3, lines 12 and 13,—

omit "or in any other law for the time being in force" (370).

(2) Page 3, lines 12 and 13.—

for "in the Industrial Disputes Act, 1947 or in an other law for the time being in force" *substitute* "in any law for the time being in force except the Industrial Disputes Act, 1947" (371).

Shri Anthony Pillai: I beg to move:

Page 3, line 13.—

add at the end—

"Any person imprisoned under this Act shall be deemed to be on special leave with pay without loss of seniority rights and any person fined or otherwise found guilty under this Act shall not be punished under any service regulations applicable to him" (372).

Shri B. C. Kamble: I beg to move:

Page 3,—

after line 13, *add*—

"Provided that notwithstanding anything contained in the above mentioned provisions in the Act on the 7th day of August, 1957 at 6 P.M. a Committee consisting of the Prime Minister, House Minister and certain other members of Lok Sabha from different political group to be chosen by the Prime Minister and the representatives of the Union Government employees concerned shall sit together to resolve the deadlock between the employees and the Government and arrive at an honourable settlement, and if such settlement has been arrived at the Act shall stand null and void." (510).

New Clause 9-A

Shri V. P. Nayar: I beg to move:

(1) Page 3,—

after line 13, *add*—

"9. Notwithstanding anything contained in this Act or any Order issued thereunder, no member of Parliament or of State Legislature or of elected self Governing bodies like Corporations or Municipal Councils shall be proceeded against under this Act." (56).

(2) Page 3,—

after line 13, *add*—

"9. No punishment meted out in accordance with the provisions of this Act shall be deemed to have resulted in any moral turpitude and no disciplinary action shall be taken on such punishment against any employee of any essential service on the basis of such punishment." (57).

Shri S. Ghose: I beg to move:

(1) Page 3,—

after line 13 *add*—

"9 Notwithstanding anything in the Code of Criminal Procedure 1898 or any other law for the time being in force, any offence committed under this Act and of any order issued thereunder, shall be triable by the Sessions Judge or the Additional Sessions Judge with the help of the Jury consisting of seven persons and the trial shall be in accordance with the provisions laid down in the Code of Criminal Procedure for session trial" (418)

(2) Page 3,—

after line 13 *add*—

"9 Notwithstanding anything in the Code of Criminal Procedure 1898 or any other law for the time being in force, the Police shall submit charge sheet to the Court of Sessions within fifteen days from the date of arrest of the accused failing which the accused shall be discharged" (419)

(3) Page 3,—

after line 13 *add*—

"9 Notwithstanding anything contained in the Code of Criminal Procedure 1898 the Police shall supply to the accused the statements of all the witnesses examined during investigation and also copies of the documents upon which the Police wants to rely during trial at least three days before the commencement of the trial" (420)

(4) Page 3,—

after line 13 *add*—

"9 Notwithstanding anything contained in the Code of Criminal Procedure 1898, or any other law for the time being in force the Police shall after the arrest of the accused, release him on bail on personal recognisance" (421).

(5) Page 3,—

after line 13 *add*—

"9 Notwithstanding anything contained in India Evidence Act, 1872 or any other law for the time being in force or irrespective of any defence taken up by the accused, the onus in each case shall be on the prosecution and shall never shift to the accused" (422)

Clause 1- (*Short title, extent and duration*)

Shrimati Parvathi Krishnan: I beg to move:

Page 1, lines 3 and 4,—

for "the Essential Services Maintenance Act, 1957" *substitute*—

"the Abolition of the Right to strike work Act, 1957" (109)

Shri Sadhan Gupta: I beg to move:

Page 1, lines 3 and 4,—

for "the Essential Services Maintenance Act, 1957" *substitute*—

"the Suppression of Right to Strike Act, 1957" (108)

Shri K. K. Warior: I beg to move:

Page 1,—

for lines 3 and 4, *substitute*—

"1 (1) This Act may be called the Supperssion of Right to Strike Act, 1957" (463)

Shri B C Kamble: I beg to move:

Page 1, lines 3 and 4,—

for "Essential Services Maintenance Act," *substitute*—"Public order, morality and general public interest" (181)

Shri Hem Barua: I beg to move:

Page 1, lines 3 and 4,—

for "the Essential Services Maintenance Act, 1957" *substitute*—

"the Denial of Democratic Rights to Workers Act, 1957" (182)

Shri V. P. Nayar: I beg to move:

Page 1, line 3,—

after "Services" *insert* "(*Breaking of Strikes*)" (20)

Shri Sadhan Gupta: I beg to move:

Page 1,—

for lines 5 and 6 *substitute*—

"(2) It shall extend to such parts of India as may be specified by Notification in the Official Gazette published with the previous approval of both Houses of Parliament." (374)

Shri K. K. Warior: I beg to move:

Page 1,—

for lines 5 and 6, *substitute*—

"(2) It extends to regions permitted by a due resolution of both Houses of Parliament." (464)

Pandit Thakur Das Bhargava: I beg to move:

Page 1, lines 5 and 6,—

omit "except the State of Jammu and Kashmir" (423)

Shri Naushir Bharucha: I beg to move.

Page 1,—

after line 6, *insert* —

"(2A) The provisions of this Act shall come into force only after a Proclamation of Emergency has been issued by the President." (1)

Shri B. C. Kamble: I beg to move:

Page 1.—

after line 6 *add*—

"(2A) This Act shall come into force on the day specified and published in the Official Gazette at least fifteen clear days earlier than the said date, after having duly obtained thereto the concurrence of the House of the Council of States and the assent of the President." (183)

Shri Sadhan Gupta: I beg to move:

Page 1,—

after line 6 *add*—

"(2A) It shall come into force on such day as the Central Government may with the previous approval of both Houses of Parliament specify in this behalf by Notification in the Official Gazette." (375)

Shri K. K. Warior: I beg to move:

Page 1,—

for lines 7 to 9, *substitute*—

"(3) It shall cease to have effect as soon as the Posts and Telegraphs employees strike is suppressed." (465)

Shri Sadhan Gupta: I beg to move:

Page 1, lines 7 and 8,—

for "the 31st day of December, 1958" *substitute*—

"the 15th day of August, 1957" (111)

Shrimati Parvathi Krishnan: I beg to move:

Page 1, lines 7 and 8,—

for "the 31st day of December, 1958" *substiute*—

"the 15th day of August, 1957" (112)

Shri Jadhav: I beg to move:

Page 1, lines 7 and 8,—

for "31st day of December, 1958" *substitute*—

"7th August, 1957" (113)

Shri Goray: I beg to move:

Page 1, lines 7 and 8,—

for "31st day of December, 1958" *substitute*—

"8th day of August, 1957" (114)

Shri Surendranath Dwivedy: I beg to move:

Page 1, lines 7 and 8,—

for "31st day of December, 1958" *substitute*—

"31st day of August, 1957" (184)

Shrimati Ila Palchoudhuri: I beg to move:

Page 1, lines 7 and 8,—

for "31st day of December, 1958" *substitute*—

"15th day of August, 1961" (424)

Shri V. P. Nayar: I beg to move·

Page 1, line 7,—

for "December" *substitute* "August" (23)

Shri Naushir Bharucha: I beg to move:

Page 1, line 8,—

for "1958" *substitute* "1957" (2)

Shri Sadhan Gupta: I beg to move:

Page 1, lines 8 and 9,—

omit "save as respects things done or omitted to be done before that date" (116)

Shri Sadhan Gupta: I beg to move:

Page 1,—

for the Enacting Formula *substitute*—

"Whereas various sections of Central Government employees have served notices of their intention to go on strike with a view to secure higher emoluments, better condition of service and better standard of living;

And whereas other sections of employees may go on strike for the same purpose;

And whereas the Central Government does not consider it possible to redress their grievances without imposition of heavy taxation on the surplus wealth of *ex*-rulers, big landlords and big capitalists, Indian as well as Foreign;

And whereas the Central Government considers it undemocratic and unjust to burden the said *ex*-rulers, big landlords, and big capitalists with taxes as heavy as those imposed on the common people;

And whereas in these circumstances it is necessary and expedient vigourously to suppress the right to strike in the interest of the security of the wealth and profits of the said *ex*-rulers, big landlords and big capitalists:

Be it enacted by Parliament in the Eighth Year of our Republic as follows:—" (373)

Long Title

Shrimati Parvathi Krishnan: I beg to move:

Page 1,—

for the Long Title, *substitute*—

"A Bill to provide for the abolition of the right to strike work and for other ancillary measures." (107)

Shri Sadhan Gupta: I beg to move:

Page 1,—

for the Long Title, *substitute*—

"A Bill to suppress the right to strike and to make ancillary provisions therefor." (106)

Shri K. K. Warior: I beg to move:

Page 1,—

For the Long Title *substitute*—

"A Bill to take away the right of strike in essential services and others and suppress any such strike taking place." (462)

Shri B. C. Kamble: I beg to move:

Page 1,—

In the Long Title *for* "certain essential services and the normal life of the community." *substitute* "Public order, mortality and general public interest of the community." (180)

Shri V. P. Nayar: I beg to move:

Page 1,—

In the Long Title,—

for "and the normal life of the community" *substitute* "and for the breaking of strikes" (16)

Mr. Deputy-Speaker: All these amendments are before the House. I will now call Shri S. Ghose. He does not want to speak? Shri Parulekar.

Shri Parulekar: Mr. Deputy-Speaker, I propose to deal with one aspect....

Shri S. Ghose (Burdwan): I am sorry Sir. I could not follow.

Mr. Deputy-Speaker: I have got this chit now from the hon. Member. Again and again I have been calling him. He did not stand up. Now, Shri Parulekar will proceed.

Shri Parulekar: Mr. Deputy-Speaker, I propose to deal with only one aspect of the penal provisions which are contained in this Bill. These penal provisions provide that persons are liable to be punished under clauses 4, 5 and 6 for actions which were perfectly legal when they acted, but which become illegal after the order is issued. These provisions have to be read along with provisions contained in clause 3. I refer to sub-clause 4 (b) of clause 3 in which an illegal strike has been defined. It says,

> "any strike declared or commenced, whether before or after the issue of the Order, by persons employed in any such service shall be illegal."

A strike which was perfectly legal becomes illegal after the order is issued. It is in this context, in this relation that the penal provisions have to be construed.

Yesterday, when it was suggested that these provisions are *ultra vires* because they are not in consonance with the provisions of the Constitution, the Law Minister contended that they are not so. I leave that question to be decided by the Supreme Court. Here, we have to read these provisions together. It becomes perfectly clear that actions which were legal when people acted become illegal after the order is issued and they are liable to be punished for such actions. I will give a few instances by way of illustration.

Suppose I am in sympathy with the demands of the workers who want to go on strike. I contribute some funds thinking that their strike is justified. I do not know, and I cannot know what is passing in the mind of the Home Minister. It is impossible for me to know, and judge beforehand that the Home Minister is likely to declare that strike illegal. For having contributed to the funds and having advised the workers to go on strike, not knowing that it is likely to be declared illegal, I am liable to to be punished after the order is issued under clauses 5 and 6. These are the clear implications of the legislation before you. If you read clauses 4, 5 and 6, not in an isolated manner and out of context, but along with sub-clause 4 (b) of clause 3, it will be perfectly clear that actions which were absolutely legal when people acted become illegal and therefore they are likely to be punished under these penal provisions in clauses 4, 5 and 6. This is.

an extraordinary piece of legislation It was contended that it would have retrospective effect. The hon Law Minister has disputed that contention

But I have no doubts on the point If you read these penal clauses along with sub-clause (4) (b) of clause 3 it will be clear that people's actions which were perfectly legal become illegal after the order is issued and they are liable to be punished under clauses 4, 5 and 6 That is the point on which I wanted to make I do not want to take more time of the House

Shri S. Ghose: Clauses 4 and 5 require clarification I shall give a concrete case An employee remains absent in circumstances beyond his control on the date of the strike or the illness of an employee coincides with the date of the strike Will it be taken that he commences the strike or remains or otherwise takes part in a strike? Where is the demarcating line? That is why I have suggested that any abstention from work not without reasonable or probable cause might not be taken as commencing or remaining or taking part in a strike That requires clarification

The Minister of Law (Shri A. K Sen): I am not able to follow

Mr. Deputy-Speaker: The Law Minister has not followed the argument The hon Member will repeat it.

Shri S. Ghose: My argument is this An employee remains absent on the date of the commencement of the strike in circumstances beyond his control. Or an employee falls ill and the illness coincides with the commencement of the strike Will it be taken that he has commenced a strike or taken part in the strike or remained in the strike? Where is the demarcating line?

Secondly, clause 5 says, 'any person who instigates or incites other persons.. ' Any person can be roped in this. Supposing a boy goes on strike. He is an employee. His father says, well, he must go on strike. Will it be taken as instigation or incitement? The father of the boy expressed sympathy He was fighting for his bread and the father said, you go on strike. Shall it be taken as instigation, In the absence of any over tact if any person requests anybody to join the strike will it be taken as incitement or instigation? There is no saving clause By these words instigating and incitement, the police can rope in the whole world

It is for this reason that I have given two amendments as follows

> "Any abstention from work not without reasonable and probable cause and in absence of any overt act, it shall not be treated as commencing or remaining or otherwise taking part in a strike"

> "Any expression of sympathy with a strike or any request to join a strike shall not be considered "as instigating or inciting other persons to take part, or otherwise acting in furtherance of a strike"

These clauses require clarification Otherwise, the whole world may be roped in by these two clauses

Pandit G. B. Pant: So far as I have been able to follow, the remarks of the Members opposite, three main points have been set forth The first one relates to the use of the word Instigation or incitement in clause 5 Both these words are well known to the Members who either appear in the law courts or take interest in statutes and legislation that pass through this House or in other Houses These words that we have used in this clause are exactly identical with the words that are used in the Industrial Disputes Act Section 27 of the Act says.

> "Any person who instigates or incites others to take part in, or otherwise acts in furtherance of a strike or lock-out which is illegal under this Act shall be punishable. .. " and so on.

[Pandit G. B. Pant]

Word for word this clause tallies with the language of section 27. Similarly, about the other clause too, clause 6, we have a corresponding clause in section 28 of the Industrial Disputes Act which runs thus:

> "Any person who knowingly expends or applies any money in direct furtherance or support of any illegal strike or lock-out shall be punishable with imprisonment...." and so on.

This, I think will allay any misgivings that hon. Members may have as to the exact import or implications of these words. These sections have been in force for a pretty long time and no difficulty has, so far as I am aware, arisen in the matter of their interpretation. So, there need be no particular difficulty because of the repetition of the same language hereafter, in clauses 4 and 5.

Then it was said that the clauses may be interpreted so as to rope in people who had started the strike or were in it when the strike was not illegal. Again I would refer to the language of the sections which I have read out from the Industrial Disputes Act. There, too the strike is not *ipso facto* invalid. It becomes invalid under certain circumstances. But if one will closely examine the language of clause 4 or 5 or clause 6, one will find it evident that only those who remain in the strike or take part in it after it has been declared illegal may come within the mischief of these clauses.

14.52 hrs.

[MR. SPEAKER *in the Chair.*]

Persons who start a strike before any notification is issued declaring the strike unlawful will certainly not suffer because the strike was not then unlawful, and would not in any way be affected by this clause or other clauses of this Bill. So, there need not be any apprehensions on that account. The words are: "takes part in a strike which is illegal under this Act". A strike which is not illegal under this Act is not in any way affected by the provisions of this Act. I think that is plain enough, and does not call for any elaborate argument.

Then it was said that a person who happens to be late or who is prevented by illness or otherwise from attending to his work may suffer, although he has no desire to join the strike. I think that is a fantastic sort of idea. Nobody ever likes to punish people who had not joined a strike. In fact, the effort is to persuade the strikers invariably to come back to work and not to drive them away into the fold of the strikers. So, such a contingency is not in any way possible. If hon. Members will refer to the definition of the word "strike", they will be satisfied that such individual cases cannot possibly be brought within the definition of a strike and would not make any person so behaving a striker. The definition says: "strike" means the cessation of work by a body of persons employed in any essential service acting in combination or a concerted refusal or refusal under a common understanding of any number of persons...." The essence of a strike lies in the concerted refusal of a number of persons in consequence of a common understanding. That is the essence of a strike. If there is no such understanding or if a person is not a party to it or if a person does not follow the directions or the resolutions of any such body, then he can certainly not be punished if he is prevented from joining the work on account of his illness or other unavoidable cause. So, I submit that these clauses are not open to objection.

Shri Narayanakutty Menon (Mukandapuram): On a point of clarification. The hon. Home Minister just now said that it is too fantastic to believe in retrospective effect for the penal provisions under this Bill. He read out clause 3, but in subclause (4) (b) of the same clause it is said:

> "any strike declared or commenced, whether before or after the issue of the Order, by persons

employed in any such service shall be illegal."

So, even before the issue of that order, the strike is illegal, and clause 4 prescribes the penalty for illegal strikes. So, it is too fantastic to suggest that retrospective provisions are not there. I would like to know whether the Home Minister gives us an assurance that no penal provisions are intended under clause 4.

Pandit G. B. Pant: It only means that even if a strike at its commencement is not illegal, if a notification is issued under this Bill, which I hope will soon assume the garb of an Act, then the strike will become illegal from the time such a declaration is made. Up to that time the strike is not illegal, and persons who have taken part in it cannot be punished for having taken part in an illegal strike because the strike was not illegal till then

Mr. Speaker: Let us finish the whole thing Clause 7 Does any hon. Member want to say anything? Clause 8 I will put the amendments Amendments to clause 2. What are the amendments which I need put to the House? Any one amendment that was suggested?

Shri T. B. Vittal Rao: Amendment 32 we press for a division. The rest may be put to vote normally.

Shri Nath Pai: We will be pressing 195.

Mr. Speaker: Is it 32 or 195 or both?

Shri Nath Pai: Both.

Mr. Speaker: Both together or separately?

Shri Nath Pai: Separately

Mr. Speaker: I shall first put amendment No 32

The question is:

Page 1,—

Omit lines 26 to 31

The Lok Sabha divided· Ayes 50; *Noes* 225

Division No. 11] **AYES** **[15·02 hrs.**

Anthony, Shri Frank
Awasthi Shri
Banerjee, Shri Pramathanath
Barrow, Shri
Beck, Shri Ignace
Bharucha, Shri Naushir
Chakravartty, Shrimati Renu
Chandramani Kalo, Shri
Dange, Shri S A.
Dasaratha Deb, Shri
Dasgupta, Shri B.
Drohar, Shri
Elias, Shri M
Gaikwad, Shri B K.
Ghose, Shri Bimal
Ghose, Shri S.
Godsora, Shri S C
Gopalan Shri A K
Goray, Shri
Gupta, Shri Sadhan
Iyer, Shri Easwara
Jadhav, Shri
Kamble, Shri B C
Kar, Shri Prabhat
Kodiyan, Shri
Kumaran, Shri
Kunhan Shri
Mahanty, Shri
Majhi, Shri R. C.
Masani, Shri M R
Matera, Shri
Matin, Shri
Menon, Shri Narayanankutty
More, Shri
Mukerjee, Shri H. N
Mullick, Shri B C.
Nayar, Shri V P.
Parulekar, Shri
Parvathi Krisnan, Shrimati
Pillai, Shri Anthony
Prodhan, Shri B. C
*Raju, Shri V.
Rao, Shri T. B Vittal
Satyabhama Devi, Shrimati
Singh, Shri L. Achaw
Soren, Shri
Sugandhi, Shri
Tangamani, Shri
Warior, Shri

NOES

Abdul Lateef, Shri
Achar, Shri
Achint Ram, Lala
Agarwal, Shri
Ajit Singh, Shri
Alva, Shri Joachim
Ambalam, Shri Subbiah
Arumugham, Shri R. S.
Atchamamba, Dr.
Badan Singh, Ch
Bahadur Singh, Shri
Bakliwal, Shri
Balakrishnan, Shri
Banerji, Shri P. B.
Banerji, Shri Dr. R.
Bangshi Thakur, Shri
Barman, Shri
Barupal, Shri P L.
Basappa, Shri
Bhagat, Shri B. R.
Bhakt Darshan, Shri
Bhargava, Pandit M. B.
Bhargava, Pandit Thakur Das

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*Shri V. Raju was not present in the House. The vote came to be recorded by mistake.

Bhatkar, Shri
Bhogji Bhai, Shri
Bholi Sardar, Shri
Badari, Shri
Birbal Singh, Shri
Bose, Shri P. C.
Brahm Perkash, Ch.
Brajeshwar Prasad, Shri
Chanda, Shri Anil K.
Chaturvedi, Shri
Chavda, Shri
Chettiar, Shri R. Ramanathan
Chuni Lal, Shri
Daljit Singh, Shri
Damani, Shri
Dasappa, Shri
Das, Shri K K.
Das, Shri M. M.
Das, Shri Ramdhani
Das, Shri Shree Narayan
Datar, Shri
Deb, Shri N. M.
Desai, Shri Morarji
Deshmukh, Shri K G.
Deshmukh, Dr. P. S.
Dharmalingam, Shri
Dube, Shri Mulchand
Dublish, Shri
Eacharan, Shri
Elayaperumal, Shri
Gaekwad, Shri Fatesinghrao
Ganapathy, Shri
Gandhi, Shri Feroz
Gandhi, Shri M.M.
Gautam, Shri C. D
Gounder, Shri K. P.
Govind Das, Seth
Hajarnavis, Shri
Harvani, Shri Ansar
Hathi, Shri
Hazarika, Shri J N.
Heda, Shri
Hem Raj, Shri
Hukam Singh, Sardar
Jain, Shri A. P.
Jain, Shri M. C.
Jangde, Shri
Jinachandran, Shri
Jogendra Singh, Sardar
Joshi, Shri A. C.
Jyotishi, Pandit J.P.
Kalika Singh, Shri
Kamble, Dr.
Kanakasabai, Shri
Kanungo, Shri
Karmarkar, Shri
Kasliwal, Shri
Kayal, Shri P. N.
Keshava, Shri
Ketkar, Dr.
Khadiwala, Shri
Khan, Shri Osman Ali
Khan, Shri Sadath Ali
Khan, Shri Shahnawaz
Khedkar, Dr. G B.
Khimji, Shri
Kottukapally, Shri
Krishnaiah, Shri
Krishnamachari, Shri T. T
Lachhi Ram, Shri
Lahiri, Shri
Lal, Shri K S
Mafida Ahmed, Shrimati
Majithia, Sardar
Maiti, Shri N B
Malliah, Shri U S
Malaviya, Pandit Govind
Malaviya, Shri K D
Malvia, Shri K B
Malviya, Shri Motilal
Manaen, Shri
Mandal, Shri J
Mandal, Dr Pashupati
Maniyangadan, Shri
Masuriya Din, Shri
Mathur, Shri Harish Chandra
Mehta, Shri B G
Mehta, Shri J R
Melkote, D
Menon, Shri Krishna
Mishra, Shri B D
Mishra, Shri L N
Mishra, Shri M P.
Misra, Shri R D
Misra, Shri R R
Mohideen, Shri Gulam
Morarka, Shri
Murthy, Shri B S
Muthukrishnan, Shri
Nadar, Shri P T
Naidu, Shri Govindarajulu
Nair, Shri C K
Nair, Shri Kuttikrishnan
Nanda, Shri
Nanjappa, Shri
Narayanasamy, Shri R
Naskar Shri P S
Nathavani, Shri
Nayak, Shri Mohan
Nayar, Dr Sushila
Nehru, Shri Jawaharlal
Nehru, Shrimati Uma
Oza, Shri
Padam Dev, Shri
Pahadia, Shri
Palchoudhuri, Shrimati Ila
Parmar, Shri Y S
Patel, Shrimati Maniben
Patel, Shri N N
Patel, Shri Rajeshwar
Prasad, Shri Mahadeo
Radhamohan Singh, Shri
Radha Raman, Shri
Raghubir Sahai, Shri
Raghuramaiah, Shri
Raj Bahadur, Shri
Ramakrishnan, Shri
Raman, Shri Pattabhi
Ramanand Shastri, Swami
Ramananda Tirtha, Swami
Ramaswami, Shri S V
Ramaswamy, Shri K. S.
Rameshwar Rao, Shri
Ram Krishan, Shri
Rampure, Shri M.
Ram Saran, Shri
Ram Subhag Singh, Dr
Rane, Shri
Ranga, Shri
Rangarao Shri
Rao, Shri E M
Rao, Shri Rajagopala
Rao, Shri R J
Raut Shri Bhola
Ray, Shrimati Renuka
Reddy Shri Bali
Reddy, Shri K C
Reddy, Shri Ramakrishna
Roy, Shri Bishwanath
Sahodrabai, Shrimati
Sahu Shri Bhagabat
Sahu Shri Rameshwar
Salam Shri Abdul
Samanta Shri S C.
Sanganna Shri
Sankarapandian Shri
Sarhadi Shri A S
Satyanarayana, Shri
Scindia Shrimati Vijaya Raje
Selku Shri
Sen Shri A K
Shah Shrimati Jayaben
Shah, Shri Manubhai
Shankaraiya Shri
Sharma Shri D C
Sharma, Pandit K C
Shastri Shri H
Shastri Shri Lal Bahadur
Shivananjappa, Shri
Siddiah, Shri
Singh, Shri Babunath
Singh, Shri D P
Singh, Shri M N.
Singh, Shri T N
Sinha, Shri B P
Sinha, Shri K. P.
Sinha, Shri Satyendra Narayan
Sinha, Shri Satya Narayan
Snatak, Shri Nardeo
Subbarayan Dr P.
Subramanyam, Shri T.

Sultan, Shrimati Maimoona
Sumat Prasad, Shri
Sunder Lal, Shri
Surya Prasad, Shri
Tahir, Shri Mohammed
Tewari, Shri Dwarikanath
Thimmaiah, Shri
Thomas, Shri A. M.
Tiwari, Shri Babu Lal
Tiwari, Shri R. S
Tiwary, Pandit D N.
Tula Ram, Shri
Tyabji, Shri
Uike, Shri
Umrao Singh, Shri
Upadhyaya, Shri Shiva Datt
Varma, Shri B B
Vishwanath Prasad, Shri
Vyas, Shri R. C.
Vyas, Shri Radhelal
Wilson, Shri J. N.

The motion was negatived

Mr. Speaker: I shall now put amendment No 195 to vote.

The question is:

Page 2, line 5,—

add at the end—

"and this definition will not apply to 'strikes' which are started after giving due notice to the authorities concerned"

The Lok Sabha divided Ayes 56; Noes 233

Division No. 12] **AYES** [15·07 hrs.

Anthony, Shri Frank
Awasthi, Shri
Banerje , Shri Pramathanathe
Banerjee, Shri S M
Barrow, Shri
Barua, Shri Hem
Bharucha, Shri Naushir
Chakravartty, Shrimati Renu
Chandramani Kalo, Shri
Dange, Shri S A
Dasaratha Deb, Shri
Dasgupta, Shri B
Drohar, Shri
Elias, Shri M
Gaikwad, Shri B K
Ghosal, Shri
Ghose, Shri Bimal
Ghose, Shri S
Godsora, Shri S C
Gopalan, Shri A. K
Goray, Shri
Gupta Shri Sadhan
Iyer, Shri Easwara
Jadhav Shri
Kamble Shri B C
Kar Shri Prabhat
Kodiyan, Shri
Kumaran, Shri
Kumbhar Shri
Kunhan, Shri
Mahanty, Shri
Majhi, Shri R C
Masani Shri M R
Matera, Shri
Matin, Shri
Menon Shri Narayanankutty
Mohan Swarup, Shri
More, Shri
Mukerjee, Shri H N
Mullick, Shri B C.
Nayar, Shri V P
Parulekar, Shri
Parvathi Krishnan, Shrimati
Patil, Shri Nana
Pillai, Shri Anthony
Prodhan, Shri B C
Rai, Shri Khushwaqt
*Raju, Shri V
Ram Garib, Shri
Rao, Shri T B Vittal
Singh, Shri L. Achaw
Soren, Shri
Sugandhi, Shri
Tangamani, Shri
Verma, Shri Ramji
Warior, Shri

NOES

Abdul Lateef, Shri
Achar, Shri
Achint Ram, Lala
Agarwal, Shri
Ajit Singh, Shri
Alva, Shri Joachim
Ambalam, Shri Subbiah
Arumugham, Shri R S
Atchamamba, Dr
Badan Singh, Ch
Bagdi, Shri
Bahadur Singh, Shri
Bakliwal, Shri
Balakrishnan, Shri
Banerji, Shri P B
Banerji, Dr R.
Bangshi Thakur, Shri
Barman, Shri
Barupal, Shri P L.
Basappa, Shri
Bhagat, Shri B R
Bhakt Darshan, Shri
Bhargava, Pandit M B
Bhargava, Pandit Thakur Das
Bhatkar, Shri
Bhogji Bhai, Shri
Bholi Sardar, Shri
Bidari, Shri
Birbal Singh, Shri
Bose, Shri P C
Brahm Perkash, Ch
Brajeshwar Prasad, Shri
Chanda, Shri Anil K
Chaturvedi, Shri
Chavda, Shri
Chettiar, Shri R Ramanathan
Chuni Lal, Shri
Daljit Singh, Shri
Dasappa, Shri
Das, Shri K. K.
Das, Shri M M.
Das, Shri Ramdhani
Das, Shri Shree Narayan
Datar, Shri
Deb, Shri N M
Desai, Shri Morarji
Deshmukh, Shri K G
Deshmukh, Dr P S
Dube, Shri Mulchand
Dubiah, Shri
Eacharan, Shri I
Elayaperumal, Shri
Gaekwad, Shri Fatesinghrao
Ganapathy, Shri

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*Shri V Raju was not present in the House. The vote came to be recorded by mistake

Gandhi, Shri Feroze
Gandhi, Shri M. M.
Gautam, Shri C. D.
Gounder, Shri K. P.
Govind Das, Seth
Hajarnavis, Shri
Harvani, Shri Ansar
Hathi, Shri
Hazarika, Shri J. N.
Heda, Shri
Hem Raj, Shri
Hukam Singh, Sardar
Jain, Shri A. P.
Jain, Shri M. C.
Jangde, Shri
Jinachandran, Shri
Jogendra Singh, Sardar
Joshi, Shri A. C
Joshi, Shri Liladhar
Jyotishi, Pandit J. P.
Kale, Shrimati A.
Kalika Singh, Shri
Kamble, Dr.
Kanakasabai, Shri
Kanungo, Shri
Karmarkar, Shri
Kasliwal, Shri
Kayal, Shri P. N.
Keshava, Shri
Keskar, Dr.
Khadiwala, Shri
Khan, Shri Osman Ali
Khan, Shri Sadath Ali
Khan, Shri Shahnawaz
Khedkar, Dr. G. B.
Khimji, Shri
Kottukapally, Shri
Krishnaiah, Shri
Krishnamachari, Shri T. T.
Krishnappa, Shri M. V.
Lachhi Ram, Shri
Lahiri, Shri
Lal, Shri R. S.
Mafida Ahmed, Shrimati
Majithia, Sardar
Maiti, Shri N. B.
Malliah, Shri U. S.
Malaviya, Pandit Govind
Malaviya, Shri K. D.
Malvia, Shri K. B.
Malviya, Shri Motilal
Manaen, Shri
Mandal, Shri J.
Mandal, Dr. Pashupati
Maniyangadan, Shri
Mathur, Shri Harish Chandra
Mehta, Shri B. G.
Mehta, Shri J. R.
Melkote, Dr.
Menon, Shri Krishna
Mishra, Shri B. D.
Mishra, Shri L. N.
Mishra, Shri M. P.
Misra, Shri R. D.
Misra, Shri R. R.
Mohideen, Shri Gulam
Morarka, Shri
Murthy, Shri B. S.
Musafir, Giani G. S.
Muthukrishnan, Shri
Nadar, Shri P. T.
Naidu, Shri Govindarajalu
Nair, Shri C. K.
Nair, Shri Kuttikrishnan
Nanda, Shri
Nanjappa, Shri
Narayanasamy, Shri R.
Naskar, Shri P. S.
Nathawani, Shri
Nayak, Shri Mohan
Nayar, Dr. Sushila
Nehru, Shri Jawaharlal
Nehru, Shrimati Uma
Oza, Shri
Padam Dev, Shri
Pahadia, Shri
Palchoudhuri, Shrimati Ila
Panna Lal, Shri
Parmar, Shri Y. S.
Patel, Shrimati Maniben
Patel, Shri N. N.
Patel, Shri Rajeshwar
Patil, Shri S. K.
Prabhakar, Shri Naval
Prasad, Shri Mahadeo
Radhamohan Singh, Shri
Radha Raman, Shri
Raghubir Sahai, Shri
Raghuramaia, Shri
Raj Bahadur, Shri
Ramakrishnan, Shri
Raman, Shri Pattabhi
Ramanand Shastri, Swami
Ramananda Tirtha, Swami
Ramaswami, Shri S. V.
Ramaswamy, Shri K. S.
Rameshwar Rao, Shri
Ram Krishan, Shri
Rampure, Shri M.
Ram Saran, Shri
Ram Subhag Singh, Dr.
Rane, Shri
Rana, Shri
Rangarao, Shri
Rao, Shri B. M.
Rao, Shri Rajagopala
Rao, Shri R. J.
Raut, Shri Bhola
Ray, Shrimati Renuka
Reddy, Shri Bali
Reddy, Shri K. C.
Reddy, Shri Ramakrishna
Roy, Shri Bishwanath
Sadhu Ram, Shri
Sahodrabai, Shrimati
Sahu, Shri Bhagabat
Sahu, Shri Rameshwar
Salam, Shri Abdul
Samanta, Shri S. C.
Sanganna, Shri
Sankarapandian, Shri
Sarhadi, Shri A. S.
Satyabhama Devi, Shrimati
Satyanarayana, Shri
Scindia, Shrimati Vijaya Raje
Selku, Shri
Sen, Shri A. K.
Shah Shrimati Jayaben
Shah, Shri Manubhai
Shankaraiya, Shri
Sharma, Shri, D. C.
Sharma, Pandit K. C.
Shastri, Shri H.
Shastri, Shri Lal Bahadur
Shivananjappa, Shri
Siddiah, Shri
Singh, Shri Babu Nath
Singh, Shri D. P.
Singh, Shri M. N.
Singh, Shri T. N.
Sinha, Shri B. P.
Sinha, Shri K. P.
Sinha, Shri Satendra Narayan
Sinha, Shri Satya Narayan
Snatak, Shri Nardeo
Subbarayan, Dr. P.
Subramanyam, Shri T.
Sultan, Shrimati Maimoona
Sumat Prasad, Shri
Sunder Lal, Shri
Surya Prasad, Shri
Swaran Singh, Sardar
Tahir, Shri Mohammed
Tewari, Shri Dwarikanath
Thimmaiah, Shri
Thomas, Shri A. M.
Tiwari, Shri Babu Lal
Tiwari, Shri R. S.
Tiwary, Pandit D. N.
Tula Ram, Shri
Tyabji, Shri
Uike, Shri
Umrao Singh, Shri
Upadhyaya, Shri Shiva Datt
Varma, Shri B. B.
Vishwanath Prasad, Shri
Vyas, Shri R. C.
Vyas, Shri Radhelal
Wilson, Shri J. N.

The motion was negatived.

Mr. Speaker: I shall now put all the other amendments to clause 2 to vote.

Amendment Nos. 185, 3, 25, 26, 186, 27, 120, 121, 122, 123, 379, 380, 381, 124, 382, 383, 384, 385, 386, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 136, 425, 190, 191, 33, 193, 34, 338, 339, 143, 306, 194, 35, 197, 196, 309, 310, 392, 391, 393, 198, 428, 495, 496, 199, 37, 200, 150, 201, 202, 497 were put and negatived.

Mr. Speaker: I shall now put clause 2 to vote.

The question is:

"That Clause 2 stand part of the Bill."

The Lok Sabha divided. Ayes 232; *Noes*: 57.

AYES

Division No. 13] **[15:12 hrs.**

Abdul Lateef, Shri
Achar, Shri
Achint Ram, Lala
Agarwal, Shri
Ajit Singh, Shri
Alva, Shri Joachim
Ambalam, Shri Subbiah
Arumugham, Shri R. S.
Atchamamba, Dr.
Ayyakannu, Shri
Badan Singh, Ch.
Bagdi, Shri
Bahadur, Singh, Shri
Bakliwal, Shri
Balakrishnan, Shri
Balmiki, Shri
Banerjee, Shri Pramathanath
Banerji, Dr. R.
Barman, Shri
Barupal Shri P. L.
Basappa, Shri
Bhagat, Shri B. R.
Bhakt Darshan, Shri
Bhargava, Pandit M. B.
Bhargava, Pandit Thakur Das
Bhatkar, Shri
Bholi Sardar, Shri
Bidari, Shri
Birbal Singh, Shri
Bose, Shri P. C.
Brahm Perkash, Ch.
Brajeshwar Prasad, Shri
Chanda, Shri Anil K.
Chaturvedi, Shri
Chavda, Shri
Chettiar, Shri R. Ramanathan
Chuni Lal, Shri
Daljit Singh, Shri
Dasappa, Shri
Das, Shri K. K.
Das, Shri M. M.
Das, Shri Ramdhani
Das, Shri Shree Narayan
Datar, Shri
Deb, Shri N. M.
Desai, Shri Morarji
Deshmukh, Shri K. G.
Deshmukh, Dr. P. S.
Drohar, Shri
Dube, Shri Mulchand
Dublish, Shri
Eacharan, Shri I.
Elayaperumal, Shri
Gaekwad, Shri Fatesinghrao
Ganapathy, Shri
Gandhi, Shri Feroze
Gandhi, Shri M. M.
Gautam, Shri C. D.
Gounder, Shri K. P.
Govind Das, Seth
Hajarnavis, Shri
Harvani, Shri Ansar
Hathi, Shri
Hazarika, Shri J. N.
Heda, Shri
Hem Raj, Shri
Hukam Singh, Sardar
Jain, Shri A. P.
Jain, Shri M. C.
Jangde, Shri
Jinachandran, Shri
Jogendra Singh, Sardar
Joshi, Shri A. C.
Joshi, Shri Liladhar
Jyotishi, Pandit J. P.
Kale, Shrimati A.
Kalika Singh, Shri
Kamble, Dr.
Kanakasabai, Shri
Kanungo, Shri
Karmarkar, Shri
Kasliwal, Shri
Kayal, Shri P. N.
Keshava, Shri
Keskar, Dr.
Khadiwala Shri
Khan, Shri Osman Ali
Khan, Shri Sadath Ali
Khan, Shri Shahnawaz
Khedkar, Dr. G. B.
Khimji, Shri
Kottukapally, Shri
Krishnaiah, Shri
Krishnamachari, Shri T. T.
Krishnappa, Shri M. V.
Lachhi Ram, Shri
Lahiri, Shri
Lal, Shri R. S.
Mafida Ahmed, Shrimati
Majithia, Sardar
Maiti, Shri N B.
Malliah, Shri U. S.
Malaviya, Pandit Govind
Malaviya, Shri K. D.
Malvia, Shri K. B.
Manaen, Shri
Mandal, Shri J.
Mandal, Dr. Pashupati
Maniyangadan, Shri
Mathur, Shri Harish Chandra
Matin, Shri
Mehta, Shri B. G.
Mehta, Shri J. R.
Melkote, Dr.
Mishra, Shri B. D.
Mishra, Shri L. N.
Misra, Shri M. P.
Mishra, Shri R. D.
Misra, Shri R. R.
Mohideen, Shri Gulam
Morarka, Shri
Murthy, Shri B. S.
Musafir, Giani G. S.
Muthukrishnan, Shri
Naidu, Shri Govindarajulu
Nair, Shri C. K.
Nair, Shri Kuttikrishnan
Nanda, Shri

Nanjappa, Shri
Naraindin, Shri
Narayanasamy, Shri R.
Naskar, Shri P. S
Nathavani Shri
Nayak, Shri Mohan
Nayar Dr Sushila
Nehru, Shri Jawaharlal
Nehru Shrimati Uma
Oza, Shri
Padam Dev, Shri
Pahadia, Shri
Palchoudhuri Shrimati Ila
Panna Lal, Shri
Parmar, Shri Y S.
Patel, Shri Rajeshwar
Patil, Shri Nana
Patil, Shri S K.
Prabhakar, Shri Naval
Prasad, Shri Mahadeo
Radhamohan Singh, Shri
Radha Raman, Shri
Raghubir Sahai, Shri
Raghuramaiah, Shri
Raj Bahadur, Shri
Ramakrishnan, Shri
Raman, Shri Pattabhi
Ramanand Shastri, Swami
Ramanand Tirtha, Swami
Ramaswami, Shri S V
Ramaswamy, Shri K S
Rameshwar Rao, Shri
Ram Garib, Shri
Ram Krishan Shri
Rampure, Shri M.
Ram Saran, Shri
Ram Subhag Singh, Dr.
Rane, Shri
Ranga, Shri
Rangarao, Shri
Rao, Shri B M
Rao, Shri Rajagopala
Rao, Shri R J
Raut, Shri Bhola
Ray, Shrimati Renuka
Reddy, Shri Bali
Reddy, Shri K C
Reddy, Shri Ramakrishna
Roy, Shri Bishwanath
Sadhu Ram, Shri
Sahodrabai, Shrimati
Sahu, Shri Bhagabat
Sahu, Shri Rameshwar
Salam, Shri Abdul
Samanta, Shri S C
Sanganna, Shri
Sankarapandian, Shri
Sarhadi, Shri A. S
Satyabhama Devi, Shrimati
Satyanarayana Shri
Scindia, Shrimati Vijaya Raje
Selku, Shri
Sen, Shri A K
Shah Shrimati Jayaben
Shah Shri Manubhai
Shankaraiya, Shri
Sharma Shri D C
Sharma, Pandit K. C
Shastri, Shri H
Shastri, Shri Lal Bahadur
Shivananjappa, Shri
Siddiah, Shri
Singh, Shri Babunath
Singh, Shri D P.
Singh, Shri M N
Singh, Shri T. N.
Sinha, Shri B P
Sinha, Shri K P
Sinha, Shri Satya Narayan
Snatak, Shri Nardeo
Soren, Shri
Subbarayan, Dr P
Subramanyam, Shri T
Sultan Shrimati Maimoona
Sumat Prasad Shri
Sunder Lal Shri
Surya Prasad, Shri
Swaran Singh, Sardar
Tahir, Shri Mohammed
Tewari Shri Dwarikanath
Thimmaiah Shri
Thomas, Shri A M.
Tiwari, Shri Babu Lal
Tiwari Shri R S
Tiwary Pandit D N
Tula Ram Shri
Tyabji, Shri
Uike, Shri
Umrao Singh, Shri
Upadhaya Shri Shiva Dat
Verma, Shri B B
Vishwanath Prasad Shri
Vyas Shri Radhelal
Wilson, Shri J. N

NOES

Anthony Shri Frank
Awasthi, Shri
Banerjee, Shri Pramathanath
Banerjee, Shri S M
Bangshi Thakur, Shri
Barrow, Shri
Barua Shri Hem
Beck Shri Ignace
Barucha Shri Naushir
Bhogji Bhai, Shri
Chakravartty, Shrimati Renu
Chandramani Kalo, Shri
Dange, Shri S A
Dasaratha Deb, Shri
Dasgupta, Shri
Dharmalingam, Shri
Elias, Shri M
Gaikwad Shri B K
Ghosal, Shri
Ghose Shri Bimal
Ghose, Shri S
Godsora, Shri S C
Gopalan, Shri A. K
Goray, Shri
Guha, Shri A C
Gupta Shri Sadhan
Jadhav Shri
Kamble, Shri B C
Kar, Shri Prabhat
Kodiyan, Shri
Kumaran, Shri
Kumbhar Shri
Kunhan, Shri
Mahanty, Shri
Majhi, Shri R C
Malviya Shri Motilal
Masani, Shri M R
Matera Shri
Mohan Swarup, Shri
More, Shri
Mukerjee, Shri H N
Mullick Shri B C
Nadar, Shri P T
Nayar Shri V P
Parulekar Shri
Parvathi Krishnan, Shrimati
Patil Shri Nana
Pillai Shri Anthony
Prodhan Shri B C.
Rai, Shri Khushwaqt
Rao, Shri T B Vittal
Singh Shri L. Achaw
Sinha, Shri Satyendra Narayan
Sugandhi, Shri
Tangamani, Shri
Verma, Shri Ramji
Warior, Shri

The motion was adopted

Clause 6 was added to the Bill

Mr. Speaker: If we could have all the divisions without again clearing the lobbies from time to time, we shall get through quickly.

Some Hon. Members: Yes.

Mr. Speaker: I shall now put amendment 156 to clause 3 to the vote of the House.

The question is:

Page 2,—

for lines 19 to 21 substitute—

"An Order made under sub-section (1) shall be published in the Official Gazette, in all leading daily newspapers both English and vernacular in every State in the Union, and copies of the Order shall also be served on all the trade unions and associations in the manner prescribed by the Code of Civil Procedure Code, 1908, for the service of summons."

The motion was negatived.

Mr. Speaker: I shall now put amendment No. 217 to clause to the vote of the House.

The question is:

Page 2, line 29,—

Omit "whether before or"

The Lok Sabha divided. Ayes: 50; *Noes*: 222.

Division No. 14] **AYES** [15·16 hrs.

Abdul Lateef, Shri
Awasthi, Shri
Banerjee, Shri Pramathanath
Banerjee, Shri S. M.
Barua, Shri Hem
Bharucha, Shri Naushir
Chakravartty, Shrimati Renu
Chandramani Kalo, Shri
Dange, Shri S. A
Dasaratha Deb, Shri
Dasgupta, Shri B.
Dharmalingam, Shri
Drohar, Shri
Elias, Shri M.
Gaikwad, Shri B. K
Ghosal, Shri
Ghose, Shri Bimal
Ghose, Shri S.
Godsora, Shri S C
Gopalan, Shri A. K.
Goray, Shri
Gupta, Shri Sadhan
Iyer, Shri Easwara
Jadhav, Shri
Kar, Shri Prabhat
Kodiyan, Shri
Kumbhar, Shri
Kunhan, Shri
Majhi, Shri R. C
Matera, Shri
Matin, Shri
Menon, Shri Narayanankutty
Mohan Swarup, Shri
More, Shri
Mukerjee, Shri H. N.
Mullick, Shri B. C.
Nayar, Shri V P.
Parulekar, Shri
Parvathi Krishnan, Shrimati
Patil, Shri Nana
Pillai, Shri Anthony
Prodhan, Shri B C.
Rai, Shri Khushwaqt
Rao, Shri T. B Vittal
Singh, Shri L Achaw
Sugandhi, Shri
Tangamani, Shri
Uike, Shri
Verma, Shri Ramji
Warior, Shri

NOES

Achar, Shri
Achint Ram, Lala
Agarwal, Shri
Ajit Singh, Shri
Alva, Shri Joachim
Ambalam, Shri Subbiah
Arumugham, Shri R. S.
Atchamamba, Dr.
Ayyakannu, Shri
Badan Singh, Ch.
Bagdi, Shri
Bahadur Singh, Shri
Bakliwal, Shri
Balakrishnan, Shri
Balmiki, Shri
Banerji, Shri P. B.
Banerji, Dr. R.
Bangshi Thakur, Shri
Barman, Shri
Barupal, Shri P. L.
Basappa, Shri
Beck, Shri Ignace
Bhagat, Shri B. R.
Bhakt Darshan, Shri
Bhatkar, Shri
Bhogji Bhai, Shri
Bholi Sardar, Shri
Bidari, Shri
Birbal Singh, Shri
Brahm Perkash, Ch.
Brajeshwar Prasad, Shri
Chanda, Shri Anil K.
Chaturvedi, Shri
Chettiar, Shri R. Ramanathan
Chunni Lal, Shri
Daljit Singh, Shri
Dasappa, Shri
Das, Shri K K.
Das, Shri M M
Das, Shri Ramdhani
Datar, Shri
Deb, Shri N M.
Desai, Shri Morarji
Deshmukh, Shri K. G.
Deshmukh, D . P. S.
Dube, Shri Mulchand
Dubiah, Shri

Eacharan, Shri I.
Elayaperumal, Shri
Gaekwad, Shri Fatehsinghrao
Ganapathy, Shri
Gandhi, Shri Feroze
Gandhi, Shri M. M.
Gounder, Shri K. P.
Govind Das, Seth
Guha, Shri A. C.
Hajarnavis, Shri
Harvani, Shri Ansar
Hathi, Shri
Hazarika, Shri J. N.
Heda, Shri
Hem Raj, Shri
Hukam Singh, Sardar
Jain, Shri A. P.
Jain, Shri M. C.
Jangde, Shri
Jinachandran, Shri
Jogendra Singh, Sardar
Joshi, Shri A. C.
Joshi, Shri Liladhar
Jyotishi, Pandit J. P.
Kale, Shrimati A.
Kalika Singh, Shri
Kamble, Dr
Kamble, Shri B. C.
Kanakasabai, Shri
Kanungo, Shri
Karmarkar, Shri
Kasliwal, Shri
Kayal, Shri P. N.
Keshava, Shri
Keskar, Dr.
Khadiwala, Shri
Khan, Shri Osman Ali
Khan, Shri Sadath Ali
Khan, Shri Shahnawaz
Khedkar, Dr. G N.
Khimji, Shri
Kottukapally, Shri
Krishnaiah, Shri
Krishnamachari, Shri T. T.
Krishnappa, Shri M. V.
Kumaran, Shri
Lachhi Ram, Shri
Lahiri, Shri
Lal, Shri R. S.
Mafida Ahmad, Shrimati
Majithia, Sardar
Maiti, Shri N B.
Malliah, Shri U. S.
Malviya, Pandit Govind
Malaviya, Shri K. D.
Malvia, Shri K. B.
Malviya, Shri Motilal
Manaen, Shri
Mandal, Shri J.
Mandal, Dr. Pashupati
Maniyangadan, Shri
Mathur, Shri Harish Chandra
Mehta, Shri J. R.
Melkote, Dr.
Menon, Shri Krishna
Mishra, Shri B. D.
Mishra, Shri L. N.
Mishra, Shri M. P.
Misra, Shri R. D.
Misra, Shri R. R.
Mohideen, Shri Gulam
Morarka, Shri
Murthy, Shri B. S.
Musafir, Giani G. S.
Mathukrishnan, Shri
Nadar, Shri P. T.
Nair, Shri C. K.
Nair, Shri Kuttikrishnan
Nanda, Shri
Nanjappa, Shri
Naraindin, Shri
Naskar, Shri P. S.
Nathavani, Shri
Nayak, Shri Mohan
Nayar, Dr. Sushila
Nehru, Shri Jawaharlal
Nehru, Shrimati Uma
Oza, Shri
Padam Dev, Shri
Pahadia, Shri
Palchoudhuri, Shrimati Ila
Panna Lal, Shri
Parmar, Shri Y. S.
Patel, Shrimati Maniben
Patel, Shri N N.
Patel, Shri Rajeshwar
Patil, Shri S. K.
Prabhakar, Shri Naval
Prasad, Shri Mahadeo
Radhamohan Singh, Shri
Radha Raman, Shri
Raghubir Singh, Shri
Raghuramaiah, Shri
Raj Bahadur, Shri
Ramakrishnan, Shri
Raman, Shri Pattabhi
Ramanand Shastri, Swami
Ramananda Tirtha, Swami
Ramaswami, Shri S. V.
Ramaswamy, Shri K.S.
Rameshwar Rao, Shri
Ram Garib, Shri
Rampure, Shri M.
Ram Saran, Shri
Ram Subhag Singh, Dr.
Rane, Shri
Rangarao, Shri
Rao, Shri R. M.
Rao, Shri Rajagopala
Rao, Shri R. J.
Raut, Shri Bhola
Ray, Shrimati Renuka
Reddy, Shri Bali
Reddy, Shri K. C.
Reddy, Shri Ramakrishna
Roy, Shri Bishwanath
Sadhu Ram, Shri
Sahodrabai, Shrimati
Sahu, Shri Bhagabat
Sahu, Shri Rameshwar
Salam, Shri Abdul
Samanta, Shri S. C.
Sanganna, Shri
Sankarapandian, Shri
Satyabhama Devi, Shrimati
Satyanarayana, Shri
Scindia, Shrimati Vijaya Raje
Selku, Shri
Sen, Shri A. K.
Shah, Shrimati Jayaben
Shah, Shri Manubhai
Shankaraiya, Shri
Sharma, Shri D. C
Sharma, Pandit K.C.
Shastri, Shri H.
Shivananjappa, Shri
Siddiah, Shri
Singh, Shri Babunath
Singh, Shri D. P.
Singh, Shri M. N
Singh, Shri T. N
Sinha, Shri B. P.
Sinha, Shri K. P.
Sinha, Shri Satyendra Narayan
Snatak, Shri Nardeo
Subbarayan, Dr. P.
Subramanyam, Shri T.
Sultan, Shrimati Maimoona
Sumat Prasad, Shri
Sunder Lal, Shri
Surya Prasad, Shri
Swaran Singh, Sardar
Tahir, Shri Mohammed
Tewari, Shri Dwarikanath
Thomas, Shri A. M.
Tiwari, Shri Babu Lal
Tiwary, Pandit D. N.
Tula Ram, Shri
Tyabji, Shri
Upadhyaya, Shri Shiva Datt
Varma, Shri B. B.
Vishwanath Prasad, Shri
Vyas, Shri R. C.
Vyas, Shri Radhelal
Wilson, Shri J. N.

The motion was negatived.

Mr. Speaker: I shall now put amendment No. 397 to clause 3 to the vote of the House.

The question is:

Page 2,—

for lines 15 to 21, substitute—

"3. (1) No strike in any essential service shall be prohibited except for the security of the State when it is facing external aggression and is in a state of war."

The Lok Sabha divided. Ayes 47; *Noes* 230

AYES

Division No. 15] **[15.18 hrs**

Banerjee, Shri Pramathanath
Banerjee, Shri S. M.
Barua, Shri Hem
Bharucha, Shri Naushir
Chakravartty, Shrimati Renu
Chandramani Kalo, Shri
Dange, Shri S. A.
Dasaratha Deb, Shri
Dasgupta, Shri
Dharmalingam, Shri
Drohar, Shri
Elias, Shri M.
Gaikwad, Shri B. K.
Ghosal, Shri
Ghose, Shri Bimal
Ghose, Shri S.
Gopalan, Shri A. K.
Goray, Shri
Gupta, Shri Sadhan
Iyer, Shri Easwara
Jadhav, Shri
Kamble, Shri B. C.
Kar, Shri Prabhat
Kodiyan, Shri
Kumaran, Shri
Kunhan, Shri
Lal, Shri R. S.
Matera, Shri
Matin, Shri
Mohan Swarup, Shri
More, Shri
Mukerjee, Shri H. N.
Mullick, Shri B. C.
Nayar, Shri V. P.
Parulekar, Shri
Parvathi Krishnan, Shrimati
Patil, Shri Nana
Pillai, Shri Anthony
Prodhan, Shri B. C.
Rai, Shri Khushwaqt
*Raju, Shri V.
Ram Garib, Shri
Rao, Shri T. B. Vittal
Sugandhi, Shri
Tangaman, Shri
Verma, Shri Ramji
Warior, Shri

NOES

Abdul Lateef, Shri
Achar, Shri
Achint Ram, Lala
Agarwal, Shri
Ajit Singh, Shri
Alva, Shri Joachim
Ambalam, Shri Subbiah
Arumugham, Shri R. S.
Atchamamba, Dr.
Ayyakannu, Shri
Badan Singh, Ch.
Bagdi, Shri
Bahadur Singh, Shri
Bakliwal, Shri
Balakrishnan, Shri
Balmiki, Shri
Banerji, Shri P. B.
Benerji, Dr. R.
Bangshi Thakur, Shri
Barman, Shri
Barupal, Shri P. L.
Basappa, Shri
Bhagat, Shri B. R.
Bhakt Darshan, Shri
Bhargava, Pandit M. B.
Bhargava, Pandit Thakur Das
Bhatkar, Shri
Bhogji Bhai, Shri
Bholi Sardar, Shri
Bidari, Shri
Birbal Singh, Shri
Bose, Shri P. C.
Brahm Perkash, Ch.
Brajeshwar Prasad, Shri
Chanda, Shri Anil K.
Chaturvedi, Shri
Chavda, Shri
Chettiar, Shri R. Ramanathan
Chuni Lal, Shri
Daljit Singh, Shri
Dasappa, Shri
Das, Shri K. K.
Das, Shri M. M.
Das, Shri Ramdhani
Das, Shri Shree Narayan
Datar, Shri
Deb, Shri N. M.
Desai, Shri Morarji
Deshmukh, Shri K. G.
Deshmukh, Dr. P. S.
Dube, Shri Mulchand
Dublish, Shri
Eacharan, Shri I.
Elayaperumal, Shri
Gaekwad, Shri Fatesinghrao
Ganapathy, Shri
Gandhi, Shri Feroze
Gandhi, Shri M. M.
Gautam, Shri C. D.
Gounder, Shri K. P.
Govind Das, Seth
Guha, Shri A. C.
Hajarnavis, Shri
Harvani, Shri Ansar
Hathi, Shri
Hazarika, Shri J. N.
Heda, Shri
Hem Raj
Hukam Singh, Sardar
Jain, Shri A. P.
Jain, Shri M. C.
Jangde, Shri
Jinachandran, Shri
Jogendra Singh, Sardar

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*Shri V. Raju was not present in the House. The vote came to be recorded by mistake.

Joshi, Shri A. C.
Joshi, Shri Liladhar
Jyotishi, Pandit J. P
Kale, Shrimati A
Kalika Singh, Shri
Kamble, Dr.
Kanaka bai, Shri
Kanungo, Shri
Karmarkar, Shri
Kasliwal, Shri
Kayal, Shri P N
Keshava, Shri
Keskar, Dr
Khadiwala, Shri
Khan, Shri Osman Ali
Khan, Shri Sadath Ali
Khan, Shri Shahnawaz
Khedkar, Dr G B
Khimji, Shri
Kottukapally, Shri
Krishnaiah, Shri
Krishnamachari, Shri T T
Krishnappa, Shri M V
Lachhi Ram, Shri
Lahiri, Shri
Mazida Ahmed, Shrimati
Majithia, Sardar
Maiti, Shri N B
Malliah, Shri U S
Malaviya, Pandit Govind
Malaviya, Shri K D
Malvia, Shri K B
Malviya, Shri Motilal
Manaen, Shri
Mandal, Shri J
Mandal, Dr Pashupati
Maniyangadan, Shri
Mathur, Shri Harish Chandra
Mehta, Shri B G
Mehta, Shri J R
Melkote, Dr
Menon, Shri Krishna
Mishra, Shri B D
Mishra, Shri L N
Mishra, Shri M P
Misra, Shri R D
Misra, Shri R R
Mohideen, Shri Gulam
Murthy, Shri B S
Musafir, Giani G S
Muthukrishnan, Shri

Nadar, Shri P T.
Nair, Shri C. K.
Nair, Shri Kuttikrishnan
Nanda, Shri
Nanjappa, Shri
Naraindin, Shri
Narayanasamy, Shri R
Naskar, Shri P. S.
Nathavani, Shri
Nayak, Shri Mohan
Nayar, Dr. Sushila
Nehru, Shri Jawaharlal
Nehru, Shrimati Uma
Oza Shri
Padam Dev, Shri
Palchoudhuri, Shrimati Ila
Panna Lal, Shri
Parmar, Shri Y S
Patel Shrimati Maniben
Patel, Shri N N
Patel, Shri Rajeshwar
Patil, Shri S K
Prabhakar, Shri Naval
Prasad Shri Mahadeo
Radhamohan Singh, Shri
Radha Raman, Shri
Raghubir Sahai, Shri
Raghuramaiah Shri
Raj Bahadur, Shri
Rakhmaji Shri
Ramakrishnan, Shri
Raman, Shri Pattabhi
Ramanand Shastri, Swami
Ramananda Tirtha, Swami
Ramaswami, Shri S V
Ramaswamy, Shri K S
Rameshwar Rao, Shri
Ram Krishan, Shri
Rampure, Shri M
Ram Saran, Shri
Ram Subhag Singh, Dr
Rane, Shri
Rangu, Shri
Rangarao, Shri
Rao, Shri B M
Rao Shri Rajagopala
Rao, Shri R J
Raut, Shri Bhola
Ray, Shrimati Renuka
Reddy, Shri Bali
Reddy, Shri K C
Reddy, Shri Ramakrishna
Roy, Shri Bishwanath

Sadhu Ram, Shri
Sahodrabai, Shrimati
Sahu, Shri Bhagabat
Sahu, Shri Rameshwar
Samanta, Shri S. C.
Sanganna, Shri
Sankarapandian, Shri
Sarhadi, Shri A. S.
Satyabhama Devi, Shrimati
Satyanarayana, Shri
Scindia, Shrimati Vijya Raje
Selku, Shri
Sen Shri A K
Shah, Shrimati Jayaben
Shah, Shri Manubhai
Shankaraiya, Shri
Sharma, Shri D. C.
Sharma, Pandit K C
Shastri, Shri H
Shastri, Shri Lal Bahadur
Shivananjappa, Shri
Siddiah, Shri
Singh, Shri Babunath
Singh, Shri D. P
Singh, Shri M N
Singh, Shri T N.
Sinha, Shri B P.
Sinha, Shri K P.
Sinha, Shri Satyendra Narayan
Sinha, Shri Satya Narayan
Snatak Shri Nardeo
Subramanyam, Shri T.
Sultan, Shrimati Maimoona
Sunder Lal, Shri
Surya Prasad, Shri
Swaran Singh, Sardar
Tewari, Shri Dwarikanath
Thimmaiah, Shri
Thomas, Shri A M
Tiwari, Shri Babu Lal
Tiwari, Shri R S
Tiwary, Pandit D N
Tula Ram, Shri
Tyabji, Shri
Uike, Shri
Umrao Singh, Shri
Upadhyaya, Shri Shiva Datt
Varma, Shri B. B
Vishwanath Prasad, Shri
Vyas Shri R C
Vyas, Shri Radhelal
Wilson, Shri J. N

The motion was negatived.

Mr. Speaker: I shall now put amendment No 483 to clause 3 to the vote of the House

The question is:

Page 2,—

after line 18 add—

"Provided that prior to any such order being made, Government shall refer the dispute and any matter appearing to be connected with or relevant to such dispute to a Tribunal for adjudication.”

The Lok Sabha divided. ***Ayes*: 55; *Noes*: 234**

AYES

Division No. 16] **[15 20 hrs**

Anthony, Shri Frank
Awasthi, Shri
Banerjee, Shri Pramathanath
Banerjee, Shri S M.
Barrow, Shri
Barua, Shri Hem
Beck, Shri Ignace
Bharucha, Shri Naushir
Chakravartty, Shrimati Renu
Chandramani Kalo, Shri
Dange, Shri S A.
Dasaratha Deb, Shri
Dasgupta, Shri B.
Dharmalingam, Shri
Drohar, Shri
Elias, Shri M
Gaikwad, Shri B K.
Ghosal, Shri
Ghose, Shri Bimal
Ghose, Shri S
Godsora, Shri S. C
Gopalan, Shri A K
Goray, Shri
Gupta, Shri Sadhan
Iyer, Shri Easwara
Jadhav, Shri
Kamble, Shri B C
Kar, Shri Prabhat
Kodiyan, Shri
Kumaran, Shri
Kumbhar, Shri
Kunhan, Shri
Majhi, Shri R C.
Masani, Shri M R
Matera, Shri
Matin, Shri
Menon, Shri Narayanankutty
Mohan Swarup, Shri
More, Shri
Mukerjee, Shri H N
Mullick Shri B C
Nayar, Shri V P
Parulekar, Shri
Parvathi Krishnan, Shrimati
Patil, Shri Nana
Pillai, Shri Anthony
Prodhan, Shri B C
Rai, Shri Khushwaqt
*Raju, Shri V
Ram Garib, Shri
Rao, Shri T B Vittal
Soren, Shri
Tangamani, Shri
Verma, Shri Ramji
Warior, Shri

NOES

Abdul Lateef, Shri
Achar, Shri
Achint Ram, Lala
Agarwal, Shri
Ajit Singh, Shri
Alva, Shri Joachim
Ambalam, Shri Subbiah
Arumugham, Shri R S
Atchamamba, Dr
Ayyakannu, Shri
Badan Singh, Ch
Bagdi, Shri
Bahadur Singh, Shri
Bakliwal, Shri
Balakrishnan, Shri
Balmiki, Shri
Banerji, Shri P B.
Banerji, Dr. R
Bangshi Thakur, Shri
Barman, Shri
Barupal, Shri P. L
Basappa, Shri
Bhagat, Shri B.R.
Bhakt Darshan, Shri
Bhargava, Pandit M.B
Bhargava, Pandit Thakur Das
Bhatkar, Shri
Bhogji Bhai, Shri
Bholi Sardar, Shri
Bidari, Shri
Birbal Singh, Shri
Bose, Shri P.C.
Brahm Perkash, Ch
Brajeshwar Prasad, Shri
Chaturvedi, Shri
Chavda, Shri
Chettiar, Shri R Ramanathan
Chuni Lal, Shri
Daljit Singh, Shri
Dasappa, Shri
Das, Shri K K
Das, Shri M M
Das, Shri Ramdhani
Das, Shri Shree Narayan
Datar, Shri
Deb, Shri N M
Desai, Shri Morarji
Deshmukh, Shri K G
Deshmukh, Dr P S
Dube, Shri Mulchand
Dublish, Shri
Eacharan, Shri I
Elayaperumal, Shri
Gaekwad, Shri Fatesinghrao
Ganapathy, Shri
Gandhi, Shri Feroze
Gandhi, Shri M M
Gautam, Shri C.D.
Gounder, Shri K.P.
Govind Das, Seth
Guha, Shri A.C
Hajarnavis, Shri
Harvani, Shri Ansar
Hathi, Shri
Hazarika, Shri J N
Heda, Shri
Hem Raj, Shri
Hukam Singh Sardar
Jain Shri A P
Jain Shri M C
Jangde, Shri
Jinachandran, Shri
Joshi, Shri A C
Joshi, Shri Liladhar
Jyotishi Pandit J P
Kale Shrimati A
Kalika Singh, Shri
Kamble, Dr
Kanakasabai, Shri
Kanungo, Shri
Karmarkar, Shri
Kasliwal, Shri
Kayal, Shri P N
Keshava, Shri
Keskar, Dr
Khadiwala, Shri
Khan, Shri Osman Ali
Khan, Shri Sadath Ali
Khan, Shri Shahnawaz
Khedkar, Dr G.B.
Khimji, Shri
Kottukapally, Shri
Krishnaiah, Shri
Krishnamachari, Shri T T.
Krishnappa, Shri M.V.
Lachhi Ram, Shri

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*Shri V. Raju was not present in the House. The vote came to be recorded by mistake.

Lahiri, Shri
Lal, Shri R S.
Mafida Ahmed, Shrimati
Majithia, Sardar
Maiti, Shri N.B.
Malliah, Shri U S
Malaviya, Pandit Govind
Malaviya, Shri K.D
Malvia, Shri K B
Malviya, Shri Motilal
Manaen, Shri
Mandal, Shri J
Mandal, Dr Pashupati
Maniyangadan, Shri
Masuriya Din, Shri
Mathur, Shri Harish Chandra
Mehta, Shri B G
Mehta Shri J R
Melkote, Dr
Menon Shri Krishna
Mishra, Shri B D
Mishra, Shri L N
Mishra Shri M P
Misra, Shri R P
Misra, Shri R R
Mohideen Shri Gulam
Murthy, Shri B S
Musafir Giani G S
Muthukrishnan Shri
Nadar, Shri P T
Nair Shri C K
Nair, Shri Kuttikrishnan
Nanda Shri
Nanjappa, Shri
Naraindin Shri
Narayanasamy, Shri R
Naskar, Shri P S
Nathavani, Shri
Nayak Shri Mohan
Nayyar, Dr Sushila
Nehru, Shri Jawaharlal
Nehru Shrimati Uma
Oza Shri
Padam Dev, Shri
Pahadia Shri
Palchoudhuri, Shrimati Ila
Panna Lal, Shri
Parmati Shri Y.S.
Patel, Shrimati Maniben
Patel, Shri N N.
Patel, Shri Rajeshwar
Patil, Shri S K.
Prabhakar, Shri Naval
Prasad, Shri Mahadeo
Radhamohan Singh, Shri
Radha Raman, Shri
Raghubir Sahai, Shri
Raghuramaiah, Shri
Raj Bahadur, Shri
Rakhmaji, Shri
Ramakrishnan, Shri
Raman, Shri Pattabhi
Ramanand Shastri, Swami
Ramananda Tirtha, Swami
Ramaswami, Shri S V.
Ramaswamy, Shri K S
Rameshwar Rao, Shri
Ram Krishan, Shri
Rampure, Shri M
Ram Saran, Shri
Ram Subhag Singh, Dr.
Rane, Shri
Ranga, Shri
Rangarao, Shri
Rao, Shri B M
Rao, Shri Rajagopala
Rao, Shri R J
Raut, Shri Bhola
Ray, Shrimati Renuka
Reddy, Shri Bali
Reddy, Shri K.C
Reddy Shri Ramakrishna
Roy, Shri Bishwanath
Sadhu Ram, Shri
Sahodrabai, Shrimati
Sahu, Shri Bhagabat
Sahu, Shri Rameshwar
Salam Shri Abdul
Samanta, Shri S C
Sanganna, Shri
Sankarapandian, Shri
Sarhadi, Shri A S
Satyabhama Devi, Shrimati
Satyanarayana, Shri
Scindia, Shrimati Vijaya Raje
Selku, Shri
Sen, Shri A.K.
Shah, Shrimati Jayaben
Shah, Shri Manubhai
Shankaraiya, Shri
Sharma, Shri D.C.
Sharma, Pandit K.C
Shastri, Shri H.
Shastri, Shri Lal Bahadur
Shivananjappa, Shri
Siddiah, Shri
Singh, Shri Babunath
Singh, Shri D.P.
Singh, Shri M.N.
Singh, Shri T.N.
Sinha, Shri B.P.
Sinha, Shri K P.
Sinha, Shri Satyendra Narayan
Snatak, Shri Nardeo
Subbarayan, Dr P.
Subramanyam, Shri T.
Sultan, Shrimati Mai[illegible]oona
Sumat Prasad, Shri
Sunder Lal, Shri
Surya Prasad, Shri
Swaran Singh, Sardar
Tahir, Shri Mohammed
Tewari, Shri Dwarikanath
Thimmaiah, Shri
Thomas, Shri A.M.
Tiwari Shri Babu Lal
Tiwari Shri R S.
Tiwary, Pandit D.N
Tula Ram, Shri
Tyabji, Shri
Uike, Shri
Umarao Singh, Shri
Upadhyaya, Shri Shiva Datt
Varma, Shri B.B
Vishwanath Prasad, Shri
Vyas, Shri R C
Vyas, Shri Radhelal
Wilson, Shri J N

The motion was negatived

Mr. Speaker: No, I will put all the remaining amendments to clause 3 together.

Amendment Nos. *36*, *203*, *204*, *86*, 154, 315, 155, 205, 207, 430, 317, 401, 39, 209, 157, 208, 210, 432, 211, 212, 319, 89, 213, 214, 4, 215, 216, 218, 219, 220, 502 *were also put and negatived.*

Mr. Speaker: The question is:

"That clause 3 stand part of the Bill."

The Lok Sabha divided: ***Ayes*:** 228; ***Noes*:** 56.

NOES

Division No. 17] **[15.22hrs**

Anthony, Shri Frank
Awasthi, Shri
Banerjee, Shri Pramathanath
Banerjee, Shri S. M.
Barrow, Shri
Barua, Shri Hem
Bhargava, Pandit Thakur Das
Bharucha, Shri Naushir
Chandramani Kalo, Shri
Dange, Shri S. A.
Dasaratha Deb, Shri
Dasgupta, Shri B.
Dharmalingam, Shri
Drohar, Shri
Elias, Shri M.
Gaikwad, Shri B K
Ghosal, Shri
Ghose, Shri Bimal
Ghose, Shri S.
Godsora, Shri S C
Gopalan, Shri A K
Goray, Shri
Gupta Shri Sadhan
Iyer, Shri Easwara
Jadhav, Shri
Kamble, Shri B C
Kar, Shri Prabhat
Kodiyan, Shri
Kumaran, Shri
Kumbhar, Shri
Kunhan, Shri
Majhi Shri R C.
Masam, Shri M R
Matera, Shri
Matin, Shri
Menon, Shri Narayanankutty
Mohan Swarup, Shri
Mukerjee Shri H.N
Mullick, Shri B C.
Nayar, Shri V P
Parulekar Shri
Parvathi Krishnan, Shrimati
Pillai Shri Anthony
Prodhan Shri B C
Rai, Shri Khushwaqt
*Raju, Shri V
Ram Garib, Shri
Ranga, Shri
Rao, Shri T B Vittal
Singh, Shri L Achaw
Sugandhi, Shri
Tangamani Shri
Verma, Shri Ramji
Vyas, Shri Radhalal
Warior, Shri

AYES

Abdul Lateef, Shri
Achar, Shri
Achint Ram, Lala
Agarwal, Shri
Ajit Singh, Shri
Alva, Shri Joachim
Ambalam, Shri Subbiah
Arumugham, Shri R. S
Atchamamba, Dr
Ayyakannu, Shri
Badan Singh, Ch
Bagdi, Shri
Bahadur Singh, Shri
Bakliwal, Shri
Balakrishnan, Shri
Balmiki, Shri
Banerji, Shri P B
Banerji, Dr. R.
Bangashi Thakur, Shri
Barman, Shri
Barupal, Shri P. L.
Basappa, Shri
Bhagat, Shri B R
Bhakt Darshan, Shri
Bhargava, Pandit M. B
Bhatkar, Shri
Bhatkar, Shri
Bhogji Bhai, Shri
Bholi Sardar, Shri
Bidari, Shri
Birbal Singh, Shri
Bose, Shri P.C.
Brahm Perkash, Ch.
Brajeshwar Prasad, Shri
Chanda, Shri Anil K.
Chaturvedi, Shri
Chettiar, Shri R. Ramanathan
Chuni Lal, Shri
Daljit Singh, Shri
Dasappa, Shri
Das, Shri K K
Das, Shri M.M
Das, Shri Ramdhani
Das, Shri Shree Narayan

Datar, Shri
Deb, Shri N M
Desai, Shri Morarji
Deshmukh, Shri
Deshmukh Dr P S
Dube, Shri Mulchand
Dublish, Shri
Bacharan, Shri I
Elayaperumal, Shri
Gaekwad, Shri Fatesinghrao
Ganapathy, Shri
Gandhi, Shri Feroze
Gandhi, Shri M M
Gautam, Shri C D
Gounder, Shri K P
Govind Das, Seth
Guha, Shri A C.
Hajarnavis, Shri
Harvani, Shri Ansar
Hathi, Shri
Hazarika, Shri J.N.
Heda, Shri
Hukam Singh, Sardar
Jain, Shri A P
Jain, Shri M.C.
Jangde, Shri
Jinachandran, Shri
Jogendra Singh, Sardar
Joshi, Shri A.C.
Joshi, Shri Liladhar
Jyotishi, Pandit J.P.
Kale, Shrimati A.
Kalika Singh, Shri
Kamble, Dr.
Kanakasabai, Shri
Kanungo, Shri
Karmarkar, Shri
Kasliwal, Shri
Kayal, Shri P N
Keshava, Shri
Keskar, Dr
Khadiwala, Shri
Khan, Shri Osman Ali
Khan, Shri Sadath Ali
Khan, Shri Shahnawaz
Khedkar, Dr G B
Khimji, Shri
Kottukapalli, Shri
Krishnaiah, Shri
Krishnamachari, Shri T T
Krishnappa, Shri M V
Lachhi Ram, Shri
Lahiri, Shri
Lal, Shri R S
Mafida Ahmed, Shrimati
Majithia, Sardar
Maiti, Shri N B
Malhah, Shri U S
Malaviya, Pandit Govind
Malaviya, Shri K D
Malvia, Shri K B
Malviya, Shri Motilal
Manaen, Shri
Mandal, Shri J.
Mandal, Dr Pashupati
Maniyangadan, Shri
Mathur Shri Harish Chandra
Mathur, Shri Harish Chandra
Mehta, Shri B.G.
Mehta, Shri J R
Mishra, Shri B.D
Mishra, Shri L N
Mishra, Shri M.P.
Misra, Shri R.D.

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*Shri V. Raju was not present in the House. The vote came to be recorded by mistake.

Misra, Shri R.R.
Mohideen, Shri Gulam
Morarka, Shri
Mora, Shri
Murthy, Shri B.S.
Musafir, Giani G.S.
Muthukrishnan, Shri
Nadar, Shri P.T.
Naidu, Shri Govindarajalu
Nair, Shri C.K.
Nair, Shri Kuttikrishnan
Nanda, Shri
Nanjappa, Shri
Naraindin, Shri
Narayanasamy, Shri
Naskar Shri P.S
Nathavani, Shri
Nayak, Shri Mohan
Nayar, Dr. Sushila
Nehru, Shri Jawaharlal
Nehru, Shrimati Uma
Oza, Shri
Padam Dev, Shri
Pahadia, Shri
Palchoudhury, Shrimati Ila
Panna Lal, Shri
P tel, Shrimati Maniben
Patel, Shri N.N.
Patel, Shri Rajeshwar
Patil, Shri S. K.
rabhakar, Shri Naval
Prasad, Shri Mahadeo
Radhamohan Singh, Shri
Radha Raman, Shri
Raghubir Sahai, Shri
Raghuramaiah, Shri
Raj Bahadur, Shri
Ramakrishnan, Shri
Raman, Shri Pattabhi
Ramanand Shastri, Swami
Ramananda Tirtha, Swami
Ramaswami, Shri S.V.
Ramaswamy, Shri K.S.
Rameshwar Rao, Shri
Ram Krishan, Shri
Rampure, Shri M.
Ram Saran, Shri
Ram Subhag Singh, Dr.
Rane, Shri
Rangarao, Shri
Rao, Shri B.M.
Rao, Shri Rajagopala
Rao, Shri R J
Raut, Shri Bhola
Ray, Shrimati Renuka
Reddy, Shri Bali
Reddy, Shri K C
Roy, Shri Bishwanath
Sadhu Ram, Shri
Sahodrabai, Shrimati
Sahu, Shri Bhagabat
Sahu, Shri Rameshwar
Salam, Shri Abdul
Samanta, Shri S C
Sanganna, Shri
Sankarapandian, Shri
Sarhadi, Shri A.S
Satyanarayana, Shri
Scindia, Shrimati Vijaya Raje
Selku, Shri
Sen, Shri A.K
hah, Shrimati Jayaben
hah, Shri Manubhai
Shankaraiya, Shri
Sharma, Shri D.C.
Sharma, Pandit K.C.
Shastri, Shri H.
Shastri, Shri Lal Bahadur
Shivananjappa, Shri
Siddiah, Shri
Singh, Shri Babunath
Singh, Shri D.P.
Singh, Shri M.N.
Singh, Shri T.N.
Sinha, Shri B.P.
Sinha, Shri K P.
Sinha, Shri Satyendra Narayan
Sinha, Shri Satya Narayan
Snatak, Shri Nardeo
Subbarayan, Dr. P.
Subramanyam, Shri T.
Sultan, Shrimati Maimoona
Sumat Prasad, Shri
Sunder Lal, Shri
Surya Prasad, Shri
Swaran Singh, Sardar
Tahir, Shri Mohammed
Tewari, Shri Dwarikanath
Thimmaiah, Shri
Thomas, Shri A.M
Tiwari, Shri Babu Lal
Tiwari, Shri R.S.
Tiwary, Pandit D N.
Tula Ram, Shri
Tyabji, Shri
Uike, Shri
Umrao Singh, Shri
Upadhyaya, Shri Shiva Datt
Varma, Shri B B
Vishwanath Prasad, Shri
Vyas, Shri R C
Wilson, Shri J N.

The motion was adopted

Clause 3 was added to the Bill.

Amendment No. 485 for the insertion of new clause 3A was put and negatived.

Mr. Speaker: I will now put all the amendments to clause 4 together:

Amendments Nos. 436, 471, 221, 437, 222, 438, 504, 5, 439, 474, 42, 224, 44, 226, 227, 228, 229, 230, 231, 233, 234, 235, 48, 236, 237, 238, 239, 240, 241, 242, 243, 328, 6,405, 505 were put and negatived.

The question is:

"That clauses 4, 5 and 6 stand part of the Bill."

Shri Parulekar: How can they all be put to the House at the same time?

Mr. Speaker: The House agrees.

Shrimati Renu Chakravartty: Even as the amendments were put separately, we shall vote on them separately.

Mr. Speaker: Then, I shall put clause 4.

The question is:

"That clause 4 stand part of the Bill."

Shri Sadhan Gupta: We want a division, Sir.

Mr. Speaker: Do the hon. Members want to division for every one of these clauses? I will go by the voice vote first and, thereafter, if necessary, I shall allow a division.

The question is:

"That clause 4 stand part of the Bill."

The Lok Sabha divided: Ayes 236; *Noes* 31.

Division No. 18] **[15.25 hrs.**

AYES

Abdul Lateef, Shri
Achar, Shri
Achint Ram, Lala
Agarwal, Shri
Ajit Singh, Shri
Alva, Shri Joachim
Ambalam, Shri Subbiah
Arumugham, Shri R S
Atchamamba, Dr
Ayyakannu, Shri
Badan Singh, Ch
Bagdi, Shri
Bahadur Singh, Shri
Bakliwal, Shri
Balmiki, Shri
Banerji, Shri P B
Banerji, Dr R.
Bangshi Thakur, Shri
Barman, Shri
Barupal, Shri P L
Basappa, Shri
Bhagat, Shri B R
Bhakt Darshan, Shri
Bhargava, Pandit M B
Bhargava, Pandit Thakur Das
Bhatkar, Shri
Bhogji Bhai, Shri
Bholi Sardar, Shri
Bidari, Shri
Birbal Singh, Shri
Bose, Shri P.C.
Brahm Perkash, Ch
Brajeshwar Prasad, Shri
Chanda, Shri Anil K.
Chaturvedi, Shri
Chavda, Shri
Chettiar, Shri R Ramanathan
Chuni Lal, Shri
Daljit Singh, Shri
Dasappa, Shri
Das, Shri K K
Das, Shri M.M.
Das, Shri Ramdhani
Das, Shri Shree Narayan
Datar, Shri
Deb, Shri N.M.
Desai, Shri Morarji
Deshmukh, Shri K G
Deshmukh, Dr. P.S.
Dube, Shri Mulchand
Dublish, Shri
Eacharan, Shri I.
Elayaperumal, Shri
Gaekwad Shri Fatesinghrao
Ganapathy, Shri
Gandhi, Shri Feroze
Gandhi, Shri *M M*
Gautam, *Shri C D.*
Gounder, Shri K.P.
Guha, Shri A C.
Hajarnavis, Shri
Harvani, Shri Ansar
Hathi, Shri
Hazarika, Shri J N
Heda, Shri
Hem Raj, Shri
Hukam Singh, Sardar
Jain, Shri A P
Jain, Shri M C
Jangde, Shri
Jinachandran, Shri
Jogendra Singh, Sardar
Joshi, Shri A C
Joshi, Shri Liladhar
Jyotishi, Pandit J P
Kale, Shrimati A
Kalika Singh, Shri
Kamble, Dr
Kanakasabai, Shri
Kanungo, Shri
Karmarkar, Shri
Kashiwal, Shri
Kayal, Shri P N
Keshava, Shri
Keskar, Dr.
Khadiwala, Shri
Khan, Shri Osman Ali
Khan, Shri Sadath Ali
Khan, Shri Shahnawaz
Khedkar, Dr. G B
Khimji, Shri
Khuda Bukhsh, Shri *M*
Kottukapally, Shri
Krishnaiah, Shri
Krishnamachari, Shri T T.
Krishnappa, Shri M V.
Lachhi Ram, Shri
Lahiri, Shri
Lal, Shri R.S.
Mafida Ahmed, Shrimati
Majithia, Sardar
Maiti, Shri N.B
Mallah, Shri U.S.
Malaviya, Pandit Govind
Malaviya, Shri K.D.
Malvia, Shri K.B.
Malviya, Shri Motilal
Manaen, Shri
Mandal, Shri J
Mandal, Dr Pashupati
Maniyangadan, Shri
Mathur, Shri Harish Chandra
Mehta, Shri B G.
Mehta, Shri J R
Melkote, Dr.
Mishra, Shri B D.
Mishra, Shri L.N
Mishra, Shri M P
Mishra, Shri S N.
Misra, Shri R D.
Misra, Shri R R
Mohideen, Shri Gulam
Mohiuddin, Shri
Muniswamy, Shri N R.
Morarka, Shri
Murthy, Shri B S.
Musafir, Giani G S
Muthukrishnan, Shri
Nadar Shri P T.
Naidu, Shri Govindarajalu
Nair, Shri C K.
Nair, Shri Kuttikrishnan
Nanda, Shri
Nanjappa, Shri
Naraindin, Shri
Narayanasamy, Shri R.
Naskar, Shri P.S.
Nathwani, Shri
Nayak, Shri Mohan
Nayar, Dr. Sushila
Nehru, Shri *Jawaharlal*
Nehru, Shrimati Uma
Oza, Shri
Padam Dev, Shri
Pahadia, Shri
Palchoudhuri, Shrimati Ila
Panna Lal, Shri
Parmar, Shri Y.S.
Patel, Shrimati Maniben
Patel, Shri N.N.
Patel, Shri Rajeshwar
Patil, Shri S.K.
Prabhakar, Shri Naval
Prasad, Shri Mahadeo
Radhamohan Singh, Shri
Radha Raman, Shri
Raghubir Sahai, Shri
Raghuramaiah, Shri
Raj Bahadur

Rakhmaji, Shri
Ramakrishnan, Shri
Raman, Shri Pattabhi
Ramanand Shastri, Swami
Ramananda Tirtha, Swami
Ramaswami, Shri S V
Ramaswamy, Shri K S
Rameshwar Rao, Shri
Ram Krishna, Shri
Rampura, Shri M
Ram Saran, Shri
Ram Subhag Singh, Dr
Rane, Shri
Ranga, Shri
Rangarao, Shri
Rao, Shri E M
Rao, Shri Rajagopala
Rao, Shri R J
Raut, Shri Bhola
Ray, Shrimati Renuka
Reddy, Shri Bali
Reddy, Shri K C
Reddy, Shri Ramakrishna
Roy, Shri Bishwanath
Sadhu Ram, Shri
Sahodrabai, Shrimati
Sahu, Shri Bhagabat
Sahu, Shri Rameshwar
Salam, Shri Abdul
Samanta, Shri S C
Sanganna, Shri
Sankarapandian, Shri
Sarhadi, Shri A S
Satyabhama Devi, Shrimati
Satyanarayana, Shri
Scindia, Shrimati Vijaya Raje
Selku, Shri
Sen, Shri A K
Shah, Shrimati Jayaben
Shah, Shri Manubhai
Shankaraiya, Shri
Sharma Shri D C
Shastri, Shri H
Shivananjappa, Shri
Siddiah, Shri
Singh, Shri Babunath
Singh, Shri D P
Singh Shri M N
Singh, Shri T N
Sinha, Shri B P
Sinha Shri Jhulan
Sinha Shri K P
Sinha Shri Setyendra Narayan
Sinha, Shri Satya Narayan
Snatak, Shri Nardeo
Subbarayan, Dr P.
Subramanyam, Shri T.
Sultan, Shrimati Maimoona
Sumat Prasad, Shri
Sunder Lal, Shri
Surya Prasad, Shri
Swaran Singh, Sardar
Tahir, Shri Mohammed
Tewari, Shri Dwarikanath
Thimmaiah, Shri
Thomas, Shri A M.
Tiwari, Shri Babu Lal
Tiwari, Shri R S
Tiwary, Pandit D N
Tula Ram, Shri
Tyabji, Shri
Uike, Shri
Umrao Singh, Shri
Upadhyaya, Shri Shiva Datt
Varma, Shri B B
Vishwanath Prasad, Shri
Vyas, Shri R C
Vyas, Shri Radhelal
Wilson, Shri J N

NOES

Anthony, Shri Frank
Awasthi, Shri
Banerjee, Shri Pramathanath
Banerjee, Shri S M
Barrow, Shri
Barua, Shri Hem
Beck, Shri Ignace
Bharucha, Shri Naushir
Chakravartty, Shrimati Renu
Chandramani Kalo, Shri
Dange, Shri S A
Dasaratha Deb, Shri
Dasgupta, Shri B
Dharmalingam, Shri
Drohar, Shri
Elias, Shri M
Gaikwad, Shri B K
Ghosal, Shri
Ghose, Shri Bimal
Ghose, Shri S
Godsora, Shri S C
Gopalan Shri A K
Goray Shri
Gupta, Shri Sadhan
Iyer Shri Easwara
Jadhav, Shri
Kamble, Shri B C
Kar Shri Prabhat
Kodiyan Shri
Kumaran, Shri
Kumbhar Shri
Kunhan Shri
Mahanty Shri
Majhi, Shri R C
Masani, Shri M.R
Matera, Shri
Matin, Shri
Menon, Shri Narayanankutty
Mohan Swarup, Shri
More, Shri
Mukerjee, Shri H N
Mullick, Shri B C.
Nayar, Shri V P
Parulekar, Shri
Parvathi Krishnan, Shrimati
Pillai, Shri Anthony
Prodhan, Shri B C
Rai, Shri Khushwaqt
*Raju, Shri V
Ram Garib, Shri
Rao, Shri T B Vittal
Singh, Shri L Achaw
Soren, Shri
Sugandhi, Shri
Tangamani, Shri
Verma, Shri Ramji
Warior, Shri

The motion was adopted

Clause 4 was added to the Bill.

Mr. Speaker: I will now put all the amendments to clause 5

Amendments Nos. 246, 247, 248, 332, 474, 7, 475, 50, 162, 250, 251, 252, 253, 254, 255, 256, 257, 163, 258, 51, 259, 260, 261, 262 263, 264, 265, 266, 267, 268, 8, 409 were put and negatived.

Mr. Speaker: The question is:

> "That clause 5 stand part of the Bill"

An Hon. Member: Division, Sir.

Mr. Speaker: Simply because an hon Member asks, I need not obey. Let me hear better voices with respect to another clause.

The motion was adopted.

Clause 5 was added to the Bill.

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*Shri V Raju was not present in the House. The vote came to be recorded by mistake.

Shri T. B. Vittal Rao: In clause 6, we want amendment No. 164 to be put to the vote.

Mr. Speaker: The question is:

Page 3, line 1, after "Any person" *insert*—

"other than a person employed in an essential service as defined, by this Act".

The Lok Sabha divided—Ayes 55; Noes—243.

Division No. 19] **[15.28 hrs.**

AYES

Anthony, Shri Frank
Awasthi, Shri
Banerjee, Shri Pramathanath
Banerjee, Shri S M
Barua, Shri Hem
Bharucha, Shri Naushir
Chakravartty, Shrimati Renu
Chandramani Kalo, Shri
Dange, Shri S A
Dasaratha Deb, Shri
Dasgupta, Shri B
Dharmalingam, Shri
Drohar, Shri
Elias, Shri M
Gaikwad, Shri B K
Ghose, Shri Bimal
Ghose, Shri S
Godsora, Shri S C
Gopalan, Shri A.K
Goray, Shri
Gupta, Shri Sadhan
Iyer, Shri Easwara
Jadhav, Shri
Kamble, Shri B C
Kar, Shri Prabhat
Kodiyan, Shri
Kumaran, Shri
Kumbhar, Shri
Kunhan, Shri
Mahanty, Shri
Majhi, Shri R C
Masani, Shri M R.
Matera, Shri
Matin, Shri
Menon, Shri Narayanankutty
Mohan Swarup, Shri
More, Shri
Mukerjee, Shri H N
Mullick, Shri B C
Nayar, Shri V P
Parulekar, Shri
Parvathi Krishnan, Shrimati
Patil, Shri Nana
Pillai, Shri Anthony
Prodhan, Shri B C
Rai, Shri Khushwaqt
*Raju, Shri V.
Ram Garib, Shri
Rao Shri T B Vittal
Singh, Shri L Achaw
Soren, Shri
Sugandhi, Shri
Tangamani, Shri
Verma, Shri Ramji
Warior, Shri

NOES

Abdul Lateef, Shri
Achar, Shri
Achint Ram, Lala
Agarwal, Shri
Ajit Singh, Shri
Alva Shri Joachim
Ambalam, Shri Subbiah
Arumugham, Shri R S
Atchamamba, Dr
Ayyakannu Shri
Badan Singh Ch
Bagdi Shri
Bahadur Singh, Shri
Bakliwal, Shri
Balakrishnan Shri
Balmiki, Shri
Banerjee, Shri P B
Banerji, Dr R
Bangshi Thakur, Shri
Barman, Shri
Barupal, Shri P L
Basappa, Shri
Bhagat, Shri B R.
Bhakt Darshan, Shri
Bhargava, Pandit M B
Bhargava, Pandit Thakur Das
Bhatkar, Shri
Bhogji Bhai, Shri
Bholi Sardar, Shri
Bidari, Shri
Birbal Singh, Shri
Bose, Shri P C.
Brahm Perkash, Ch.
Brajeshwar Prasad, Shri
Chanda, Shri Anil K.
Chaturvedi, Shri
Chavda, Shri
Chettiar, Shri Ramanathan
Chuni Lal, Shri
Daljit Singh, Shri
Dasappa, Shri
Das, Shri K.K
Das, Shri M.M
Das, Shri Ramdhani
Das, Shri Shree Narayan
Datar, Shri
Deb, Shri N M.
Desai, Shri Morarji
Deshmukh Shri K G
Deshmukh, Dr P S
Dube Shri Mulchand
Dublish Shri
Eacharan, Shri I
Elayaperumal, Shri
Gaekwad, Shri Fatesinghrao
Ganapathy, Shri
Gandhi, Shri Feroze
Gandhi Shri M M.
Gautam, Shri C D
Ghosal, Shri
Gounder, Shri K.P
Govind Das, Seth
Guha, Shri A C.
Hajarnavis Shri
Harvani, Shri Ansar
Hathi, Shri
Hazarika, Shri J N
Heda, Shri
Hem Raj, Shri
Hukam Singh, Sardar
Jain, Shri A P
Jain, Shri M C
Jangde, Shri

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*Shri V. Raju was not present in the House. The vote came to be recorded by mistake.

Jinachandran, Shri
Jogendra Singh, Sardar
Joshi, Shri A.C
Joshi, Shri Liladhar
Jyotishi, Pandit J P
Kale, Shrimati A
Kalika Singh, Shri
Kamble, Dr
Kanakasabai, Shri
Kanungo, Shri
Karmarkar Shri
Kasliwal, Sh i
Kayal, Shri P N
Keshava, Shri
Keskar, Dr
Khadiwala, Shri
Khan, Shri Osman Ali
Khan, Shri Sadath Ali
Khan, Shri Shahnawaz
Khedkar, Dr G.B
Khimji Shri
Khuda Buksh, Shri M
Kottukapally, Shri
Krishnaian Shri
Krishnamachari, Shri T T
Krishnappa Shri M V
Lachhi Ram Shri
Lahiri Shri
Lal Shri R S
Mafida Ahmed, Shrimati
Majithia, Sardar
Maiti, Shri N B
Malliah Shri U S
Malaviya, Pandit Govind
Malaviya Shri K D
Malvia, Shri K.B
Malviya, Shri Motilal
Mansen, Shri
Mandal Shri J
Mandal, Dr Pashupati
Maniyangadan, Shri
Masuriya Din, Shri
Mathur, Shri Harish Chandra
Mehta, Shri B G
Mehta Shri J R
Melkote, Dr
Menon, Shri Krishna
Mishra, Sh i B D
Mishra, Shri L N
Mishra, Shri M P
Mishra, Shi S N
Mishra, Shri R D
Misra, Shri R.R.
Mohideen, Shri Gulam
Morarka, Shri
Murthy, Shri B S
Musafir, Giani G.S
Muthukrishnan Shri
Nadar, Shri P T
Naidu, Shri Govindarajalu
Nair, Shri C K
Nair, Shri Kuttikrishnan
Nanda, Shri
Nanjappa, Shri
Naraindin Shri
Narayanaswamy, Shri R
Naskar Shri P S
Nathavani Shri
Nayak, Shri Mohan
Nayar Dr Sushila
Nehru Shri Jawaharlal
Nehru, Shrimati Uma
Oza, Shri
Padam Dev, Shri
Pahadia Shri
Palchoudhuri Shrimati Ila
Panna Lal Shri
Parmar Shri Y S
Patel Shrimati Maniben
Patel Shri N N
Patel, Shri Rajeshwar
Patil, Shri S K
Prabhakar Shri Naval
Prasad Shri Mahadeo
Radhamohan Singh Shri
Radha Raman Shri
Raghubir Sahai Shri
Raghuramaiah Shri
Raj Bahadur Shri
Rakhmaji Shri
Ramakrishnan Shri
Raman Shri *Pattabhi*
Ramanand Shastri Swami
Ramananda Tirtha Swami
Ramaswami Shri S V
Ramaswamy Shri K S
Rameshwar Rao, Shri
Ram Krishan Shri
Rampure Shri M
Ram Saran, Shri
Ram Subhag Singh Dr
Rane, Shri
Ranga, Shri
Rangarao, Shri
Rao, Shri B M
Rao, Shri Rajagopala
Rao Shri *R J*
Raut Shri Bhola
Ray Shrimati Renuka
Reddy, Shri Bali
Reddy Shri K C
Reddy, Shri Ramakrishna
Roy, Shri Biswanath
Sadhu Ram, Shri
Sahodrabai Shrimati
Sahu Shri Bhagabat
Sahu, Shri Rameshwar
Salam, Shri Abdul
Samanta, Shri S C
Sanganna, Shri
Sankarapandian, Shri
Sarhadi Shri A S
Satyabhama Devi, Shrimati
Satyanarayana, Shri
Scindia, Shrimati Vijaya Raje
Selku Shri
Sen, Shri A K
Shah, Shrimati Jayaben
Shah Shri Manubhai
Shankaraiya, Shri
Sharma Shri D C
Sharma Pandit K C
Shastri Shri H
Shastri Shri Lal Bahadur
Shivananjappa Shri
Siddiah Shri
Singh Shri Babunath
Singh Shri D P
Singh Shri M N
Singh Shri T N
Sinha Shri B P
Sinha Shri Jhulan
Sinha Shri K P
Sinha Shri Satyendra Narayan
Sinha Shri Satya Narayan
Snatak Shri Nardeo
Subbarayan Dr P
Subramanyam, Shri T
Sultan Shrimati Maimoona
Sumat Prasad Shri
Sunder Lal Shri
Surya Prasad Shri
Swaran Singh Sardar
Tahir Shri Mohammed
Tewari Shri Dwarkanath
Thimmaiah Shri
Thomas Shri A M
Tiwari Shri Babu Lal
Tiwari Shri R S
Tiwary Pandit D N
Tula Ram Shri
Tyabji Shri
Uike, Shri
Umrao Singh Shri
Upadhyaya Shri Shiva Datt
Varma Shri B B
Vishwanath Prasad, Shri
Vyas, Shri P C.
Vyas, Shri Radhelal
Wilson Shri J N

The motion was adopted

Mr. Speaker: I will now put all the other amendments to clause 6 to the vote

Amendments Nos. 270, 271, 272, 273, 274, 341, 440, 275, 276, 9, 278, 477, 279, 280, 344, 346, 348, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 10 were also put and negatived

Mr. Speaker: The question is·

"That clause 6 stand part of the Bill"

The motion was adopted

Clause 6 was added to the Bill

Mr. Speaker: I will put all the amendments to clause 7 to the vote of the House

Amendments Nos. 282, 413, 55, 285, 360, 361, 362, 363, 364, 365, 366, 367, 368, 442, 414, 478, 11, 287, 444 were put and negatived

Mr. Speaker: The question is·

"That clause 7 stand part of the Bill"

The motion was adopted

Clause 7 was added to the Bill

Shrimati Renu Chakravartty: Is it decided that there shall be no more division?

Mr. Speaker: I will allow one more division before the third reading.

Shrimati Parvathi Krishnan: There is an amendment, No 288 for the addition of new clause 7A We want it to be put to the vote.

Mr. Speaker: The question is:

Page 3,—

after line 9, *insert*—

"7A Any offence committed under this Act shall not be deemed to be an offence involving moral turpitude and shall not render any person convicted liable for any penalty, forefeiture, loss of emoluments, terms and conditions of service or misconduct within the meaning of any rules regulating the terms and conditions of service in force"

The Lok Sabha divided Ayes 53, *Noes* 242

Division No 20] AYES 15.31 hrs

Anthony, Shri Frank
Awasthi, Shri
Banerjee, Shri Pramathanath
Banerjee, Shri S M
Barrow, Shri
Barua, Shri Hem
Beck, Shri Ignace
Bharucha, Shri Naushir
Chakravartty, Shrimati Renu
Dange, Shri S A
Dasaratha Deb, Shri
Dasgupta, Shri B
Dharmalingam, Shri
Drohar, Shri
Elias, Shri M
Gaikwad, Shri B K
Ghosal, Shri
Ghose Shri S
Godsora, Shri S C
Gopalan Shri A K
Goray Shri
Gupta, Shri Sadhan
Iyer, Shri Eswara
Jadhav Shri
Kamble, Shri B C
Kar, Shri Prabhat
Kodiyan, Shri
Kumaran Shri
Kunhan, Shri
Majhi, Shri R C
Masani, Shri M.R
Matera, Shri
Matin, Shri
Menon, Shri Narayanankutty
Mohan Swarup, Shri
More, Shri
Mukerjee Shri H.N
Mullick, Shri B C
Nayar, Shri V P
Parulekar, Shri
Parvathi Krishnan, Shrimati
Patil, Shri Nana
Patil, Shri U L.
Pillai, Shri Anthony
Prodhan, Shri B C.
Rai, Shri Khushwaqt
*Raju, Shri V
Rao, Shri T B Vittal
Singh, Shri L Achaw
Soren, Shri
Tangamani, Shri
Verma, Shri Ramji
Warior, Shri

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*Shri V Raju was not present in the House The vote came to be recorded by mistake

NOES

Abdul Lateef, Shri
Achar, Shri
Achint Ram, Lala
Agarwal, Shri
Ajit Singh, Shri
Alva, Shri Joachim
Ambalam, Shri Subbiah
Arumugham, Shri R.S.
Atchamamba, Dr.
Ayyakannu, Shri
Badan Singh, Ch.
Bagdi, Shri
Bahadur Singh, Shri
Bakliwal, Shri
Balakrishnan, Shri
Balmiki, Shri
Banerji, Shri P.B.
Banerji, Dr. R.
Bangshi Thakur, Shri
Barman, Shri
Barupal, Sri, P.L.
Basappa, Shri
Bhagat, Shri B R.
Bhakt Darshan, Shri
Bhargava, Pandit M.B
Bhargava, Pandit Thakur Das
Bhatkar, Shri
Bhogji Bhai, Shri
Bholi Sardar, Shri
Bidari, Shri
Birbal Singh, Shri
Bose, Shri P.C.
Braham Perkash, Ch.
Brajeshwar Prasad, Shri
Chanda, Shri Anil K.
Chaturvedi, Shri
Chavda, Shri
Chettiar, Shri R Ramanathan
Chuni Lal, Shri
Dalji Singh, Shri
Dasappa, Shri
Das, Shri K.K.
Das, Shri M.M
Das, Shri Ramdhani
Das, Shri Shree Narayan
Datar, Shri
Deb, Shri N M
Desai, Shri Morarji
Deshmukh, Shri K G.
Deshmukh, Dr. P S.
Dube, Shri Mulchand
Dublish, Shri
Eacharan, Shri I.
Elayaperumal, Shri
Gaekwad, Shri Fatesinghrao
Ganapathy, Shri
Gandhi, Shri Feroze
Gandhi, Shri M.M.
Gautam, Shri C.D.

Gounder, Shri K.P.
Govind Das, Seth
Guha, Shri A.C.
Hajarnavis, Shri
Harvani, Shri Ansar
Hathi, Shri
Hazarika, Shri J.N.
Heda, Shri
Hem Raj, Shri
Hukam Singh, Sardar
Jain, Shri A.P.
Jain, Shri M.C
Jangde, Shri
Jinachandran, Shri
Jogendra Singh, Sardar
Joshi, Shri A.C.
Joshi, Shri Liladhar
Jyotishi, Pandit J.P.
Kale, Shrimati A.
Kalika Singh, Shri
Kamble, Dr.
Kanakasabai, Shri
Kanungo, Shri
Karmarkar, Shri
Kasliwal, Shri
Kayal, Shri P.N.
Keshava, Shri
Keskar, Dr.
Khadiwala, Shri
Khan, Shri Osman Ali
Khan, Shri Sadath Ali
Khan, Shri Shahnawaz
Khedkar, Dr. G.B.
Khimji, Shri
Khuda Buksh, Shri M.
Kottukapally, Shri
Krishnaiah, Shri
Krishnamachari, Shri T T.
Krishnappa, Shri M V.
Lachhi Ram, Shri
Lahiri, Shri
Lal, Shri R.S.
Mafida Ahmed, Shrimati
Majithia, Sardar
Maiti, Shri N.B.
Malliah, Shri U.S.
Malviya, Pandit Govind
Malviya, Shri K D.
Malvia, Shri K.B.
Malviya, Shri Motilal
Menaen, Shri
Mandal, Shri J.
Mandal, Dr. Pashupati
Maniyangadan, Shri
Mathur, Shri Harish Chandra
Mehta, Shri B.G
Mehta, Shri J.R.
Melkote, Dr.

Menon, Shri Krishna
Mishra, Shri B.D.
Mishra, Shri L.N.
Mishra, Shri M.P.
Mishra, Shri S.N.
Misra, Shri R.D.
Misra, Shri R R.
Mohideen, Shri Gulam
Morarka, Shri
Murthy, Shri B.S.
Musafir, Giani G.S.
Muthukrishnan, Shri
Nadar, Shri P.T.
Naidu, Shri Govindarajulu
Naidu, Shri T.D.M.
Nair, Shri C.K.
Nair, Shi Kuttikrishnan
Nanda, Shri
Nanjappa, Shri
NarainDin, Shri
Narayanasamy, Shri R.
Naskar, Shri P.S.
Nathavani, Shri
Nayak, Shri Mohan
Nayar, Dr. Sushila
Nehru, Shri Jawaharlal
Nehru, Shrimati Uma
Oza, Shri
Padam Dev, Shri
Palchoudhuri, Shrimati
Panna Lal Shri
Parmar, Shri Y S
Patel, Shrimati Maniben
Patel, Shri N N.
Patel, Shri Rajeshwar
Patil, Shri S K
Prabhakar, Shri Naval
Prasad, Shri Mahadeo
Radhamohan Singh, Shri
Radha Raman, Shri
Raghubir Sahai, Shri
Raghuramaiah, Shri
Raj Bahadur, Shri
Rakhmaji, Shri
Ramakrishnan, Shri
Raman, Shri Pattabhi
Ramananda, Shastri Swamy
Ramananda Tirtha, Swami
Ramaswami, Shri S.V.
Ramaswamy, Shri K.S.
Rameshwar Rao, Shri
Ram Garib, Shri
Ram Krishan, Shri
Rampure, Shri M.
Ram Saran, Shri
Ram Subhag Singh, Dr
Rambir Singh, Ch.

Rane, Shri
Ranga, Shri
Rangarao, Shri
Rao, Shri B.M.
Rao, Shri Rajagopala
Rao, Shri R.J.
Raut, Shri Bhola
Ray, Shrimati Renuka
Reddy, Shri Bali
Reddy, Shri K.C.
Reddy, Shri Ramakrishna
Reddy, Shri Viswanatha
Roy, Shri Biswanath
Sadhu Ram, Shri
Sahodrabai, Shrimati
Sahu, Shri Bhagabat
Sahu, Shri Rameshwar
Salam, Shri Abdul
Samanta, Shri S.C
Sanganna, Shri
Sankrapandian, Shri
Sarhadi, Shri A S
Satyabhama Devi, Shrimati
Satyanrayana, Shri
Scindia, Shrimati Vijaya Raje
Selku, Shri
Sen Shri A.K.
Shah, Shrimati Jayaben
Shah, Shri Manubhai
Shankraiya, Shri
Sharma, Shri D C.
Sharma, Pandit K C
Sharma, Shri R C
Shastri, Shri H.
Shastri, Shri Lal Bahadur
Shivananjappa, Shri
Siddiah, Shri
Singh, Shri Bahunath
Singh, Shri D P
Singh, Shri M N
Singh, Shri T N.
Sinha, Shri B P
Sinha, Shri Jhulan
Sinha, Shri K P
Sinha, Shri Satyendra, Narayan
Sinha, Shri Sarangdhara
Sinha Shri Satya Narayan
Snatak, Shri Nardeo
Subbarayan, Dr. P.
Subramanyam, Shri T
Sugandhi, Shri
Sultan, Shrimati Maimoona
Sumat Prasad, Shri
Sunder Lal. Shri
Surya Prasad, Shri
Swaran Singh, Sardar
Tahir, Shri Mohammed
Tewari, Shri Swarnkanath
Thimmaiah, Shri
Tiwari, Shri Babu Lal
Tiwari Shri R S
Tiwary, Pandit D.N
Tula Ram, Shri
Tyabji, Shri
Uike, Shri
Umrao Singh, Shri
Upadhayaya, Shri Shiva Datt
Varma, Shri B B
Vishwanath Prasad, Shri
Vyas, Shri R.C.
Vyas Shri Radhelal
Wilson, Shri J N

The motion was negatived.

Mr. Speaker: I will now put all the amendments to clause 8

Amendments Nos. 178, 289, 480, 105, 370, 371, 372, 510 were put and negatived

Mr. Speaker: The question is:

"That Clause 8 stand part of the Bill."

The motion was adopted.

Clause 8 was added to the Bill.

Mr. Speaker: I will now put all the amendments moved for the insertion of New clause 9A.

Amendments Nos. 3, 56, 57, 418, 419, 420, 421, 422 were put and negatived

Mr. Speaker: The question is:

"That clause 1 stand part of the Bill."

Shri V. P. Nayar: There is an amendment No. 57 to this, Sir.

Mr. Speaker: It is not pressed.

The amendment was, by leave, withdrawn.

Shri Sadhan Gupta: Sir, there are amendments Nos. 293, 114 and 1 also to this clause.

Mr. Speaker: I am afraid this is barred Anyhow I will put it to the House.

The question is:

Page 1, *after* line 6 *add*—

"(2A) The provisions of the Act shall come into force only after a Proclamation of emergency has been issued by the President."

The motion was negatived.

Mr. Speaker: The question is:

Page 1, lines 7 and 8—for "31st day of December, 1958" substitute "8th day of August, 1957"

The motion was negatived.

Mr. Speaker: Amendment No. 1 is barred as it is covered by 293. I will put all other amendments together.

Amendments Nos. 109, 108, 463, 181, 182, 20, 374, 464, 423, 1, 183, 375, 465, 111, 112, 113, 184, 424, 23, 2, 116 were also put and negatived.

[**Mr. Speaker**]

The question is:

"That clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

Mr. Speaker: The question is:

"That the Enacting Formula and the Title stand part of the Bill."

Shri Sadhan Gupta: There are amendments to the Enacting Formula, Sir. Amendment No. 373.

Mr. Speaker: This is frivolous; I rule it out of order. I will put amendments to long Titles also to the vote.

Amendments Nos. 107, 106, 462, 180, 18 were put and negatived.

Shri Sadhan Gupta: We strongly feel, Sir

Mr. Speaker: The hon. Member feels strongly on many matters.

The question is.

"That the Enacting Formula and the Title stand part of the Bill."

The motion was adopted

The Enacting Formula and the Title were added to the Bill.

Pandit G. B. Pant: Sir, I move:

"That the Bill be passed"

Mr. Speaker: Order, order; order please. Hon Members will kindly sit down when I get up.

Motion moved:

"That the Bill be passed."

Shri H. N. Mukerjee (Calcutta-Central): Mr. Speaker, Sir, the hon. the Home Minister has asked the House to pass the Bill

I find that some of our friends are leaving the House They do not take part in the proceedings. They make up their minds on the orders that they received from that side. (*Interruptions*).

Mr. Speaker: The hon. Member will kindly resume his seat.

(After a pause)

He may proceed now.

Shri H. N. Mukerjee: Mr. Speaker, Sir, with the brevity which is the soul of the Home Minister's wit, he has asked the House to pass the Bill which he has put forward before the House. Now, Sir, I shall not try to emulate his brevity because he is asking the House to do something which is particularly pernicious.

If the House is to be at all true to its sense of responsibility to the people, it should not in a cavalier fashion pass this kind of legislation. He tells the House to pass the Bill. I know very well that he has got at his disposal the votes of the Members of this august assembly, votes which, quite obviously, are recorded without proper participation in the debate, without listening to the arguments either on one side or the other

An Hon. Member: That is a reflection (*interruption*)

Mr. Speaker: Order, order. Hon. Member can speak very well without offending any hon Member here. Whether they hear or not, some are able to understand even at short notices, others will take a long time to understand Therefore, there is no meaning in saying that they should hear every word that is uttered here, As. soon as they come they can understand what all has passed Let us not, therefore, make any reflection. It is wrong. We are all in a happy family here. Of course, it is not as if everything that the Opposition says must be accepted by the Government, then the Opposition must become the Government. That is the difficulty. Therefore, the hon. Member can go on without any reflection.

Shri H. N. Mukerjee: Sir, I do not wish to reflect on any hon. Member of this House. But, though you have been pleased to observe that we are a happy family, for the time being at least we on this side are very unhappy, and that is why certain observations might escape us which, perhaps, in more happy circumstances we would not make. In any case, I want to repeat that the Bill which the Home Minister has asked us to pass is pernicious and if we are to be true to our responsibility to the people we cannot pass it.

This morning, when we looked at the papers and later when we came to this House we all had hopes of a settlement of the strike which is quite obviously the provocation for this Bill Hopes of a settlement are certainly still there and I am amazed that this Government, which talks so much about the healing touch, about the grand quality which we seem to specialise in, of healing the wounds of all kinds of people, is behaving in a manner which shows very clearly that if this Bill is enacted into law, and I fear that might very well happen, then the wound in the heart of the working people of our country will never heal, and do what you like, say what you will, unless you have the heartfelt co-operation of the working people with whatever endeavour the Government wishes to initiate, unless you have that co-operation, social progress will fail and the plans will founder on rocks of the Government's own reaction. That is, therefore, a point which I shall first of all place before the House.

Last night, the Prime Minister made a broadcast. I must say in all honesty that the tone of that broadcast was admirable As a matter of fact, on occasion, the tone of the Prime Minister has been such that I wonder—and I do not hesitate to say it here—how the Prime Minister keeps the company that he does. I do not wish to drive a wedge between the Prime Minister and his colleagues whom quite obviously he has clasped to his heart, but I really do not understand how this kind of combination continues in our country, but obviously it does

But the Prime Minister said very rightly that if the strike does not take place, the Bill need not and will not be used. I say we want something more than that. If the strike is settled, then surely, but if the strike is most unfortunately not settled, even then, this pernicious legislation should not be put on the statute-book. We should not allow our statute-book to be tarnished by this kind of legislation which in the old days were used to be characterised as black Bills.

It has been pointed out earlier in the debate that the right of association is a fundamental right guaranteed to everybody in this country by the Constitution. Now, like every other right, fundamental or otherwise, there can be no such thing as a completely absolute right. We can see that and we know it very well, but fundamental rights can only be impinged upon in case of a really grave emergency which threatens to disturb the social order altogether. In the absence of such an emergency, in the absence of a really grave and serious situation, it is absolutely unnecessary, it is completely gratuitous, on the part of the Government to bring forward this kind of legislation.

Under this Bill, blanket powers have been given to the executive. There is clause 2, for example, and in connection with clause 2, I must say—though I am saying it with very great regret—that I am amazed to find that Sardar Hukam Singh, for whom I have very great respect, who is the Chairman of the Subordinate Legislation Committee, as far as I know, came forward to defend the inclusion of certain thing in clause 2, which completely passes my comprehension. I have had the privilege of serving on the Subordinate Legislation Committee for three years or more. I can take a bet—if there is a Subordinate Legislation Committee here and now and Sardar Hukam Singh presides—I can take a bet that

[Shri H. N. Mukerjee]

the kind of thing which is incorporated in this Bill would never have been approved of by the Subordinate Legislation Committee. We have already reported from time to time to this House that it is very necessary that Government consults the Subordinate Legislation Committee But this on, this question, of course apart from the Subordinate Legislation Committee, the entire public opinion of the country has been given the go-by

Here, we find in the case of the infliction of a grave hardship on the community, Government can declare something to be an essential service and ban the strike I know my friend the Law Minister is there He may have a great deal of ingenuity rather than insight, but with all the ingenuity in the world, I challenge him to go before courts of law and give a definition of grave hardship on the community which would be acceptable This afternoon, the Law Minister got up at one stage of the proceedings to say that the expression 'in the public interest' is an expression which can be interpreted just like that, and by purely objective tests I do not know, but the Law Minister has been functioning in a very different atmosphere, and may be he has imbibed certain ideas, but as far as we are concerned, we know it for a fact that such an expression as 'in the public interest' cannot be interpreted on the basis of certain objective standards which like rabbits out of your hat you can produce just because you happen to be the Government of the day But that is how Government has behaved, and that is why blanket powers have been given to the executive in a manner which goes against the grain of parliamentary life altogether, which goes against the grain of every decent democratic instinct in the country That is exactly what the Government is doing

The provocation for this Bill comes mainly from the strike threatened by, rather, the notice of strike given by the posts and telegraphs union workers. The leaders of the posts and telegraphs union workers are generally Congressmen. I do not say further; perhaps he is here—my friend Lala Achint Ram, for example and so many others They are generally Congressmen, who are the leaders of these unions Now these unions are making repeated efforts to offer co-operation, I can forward to the Prime Minister or to the Home Minister, as the Prime Minister is pre-occupied with so many other things, periodicals where these people are putting up their case They are telling the country to realise what exactly they are asking for They asked for the second Pay Commission. Two years back, Shri D C Sharma, who is sitting there shamfacedly brought forward a resolution supporting the idea of a second Pay Commission Congressmen have been espousing these particular demands which are today in the forefront. My friend Shri Lal Bahadur Shastri knows very well who went to meet him—it was mainly Congress leaders of this union They cannot go today before their people and tell them 'to strike is a completely unpartiortic proceeding' They cannot do that Government gives the answer to this Government says only the Communists are to blame!

Sir, in French, there is a saying that if there is a certain kind of trouble, then, *cherchez la femme* I do not propose to translate it for your delectation, but here, in this country if you find certain things happening, you look for Communist and put all blame on them!

My friend Shri Frank Anthony yesterday was good enough to suggest that we should all put in jail because he perhaps does not like our faces or whatever it is He suggested it very seriously and I am happy that my friend Pandit Thakur Das Bhargava took up the cudgels in support of a decent political life in this country and contested that proposition My point is that Government cannot manage a particular situation This situation in the posts and telegraphs department has been hanging fire for nearly two years now Government is completely bankrupt and being completely bankrupt, Government can only say that the Communists are responsible, as if if the Communists can capture the hearts of the people, then they are to blame But Government comes forward now and brandishes the big stick The Prime Minister himself said that the doctrine of the big stick is wrong, but Government is brandishing the big stick If this piece of legislation, which has hardly a parallel in the statute-books of any country, is not an example of the brandishing of the big stick, then I do not know what the meaning of words is

Seth Govind Das (Jabalpur) What about Russia and China?

Shri H. N. Mukerjee: I can tell Government, you can frighten some people for sometime but you cannot fly in the face of the social conscience and you cannot intimidate our people for all time to come I would like to point out this, because the Home Minister referred to the Plan and to the rather depressing situation in which we find ourselves today in relation to the Plan Government knows it very well, even though Government may not admit it, that we on this side are much more keen on the Plan, in spite of its defects, than the majority of the Members of the Congress Party The working class of this country is absolutely determined to see to it that the Plan succeeds. That is why the P & T people have over and over again suggested that they are going to suggest ways and means of working the Plan That is why the railwaymen have suggested that we want to be associated with the administration, in accordance with the principles so pompously formulated by Government, in order to help the Plan.

The Government sends some higher-up officers to tour all the world to find out how workers can be associated with the Plan, but, if Shri Lal Bahadur Shastri sits for two hours with the workers, he can associate them with the Plan and get better results You do not do that. On the contrary, you let the saboteurs of the Plan go scot-free Where are the saboteurs of the Plan? They sup in the Congress cup and dip in the Congress dish, they sit in select committees in Parliament, they carry on lobbying operations We find them demanding the re-phasing of the Plan, demanding the lowering of the targets of the Plan We find them trying to take the sting out of the very modest Expenditure and Wealth Tax Bills .

Mr. Speaker: This is not the first reading he should be as brief as possible The hon Member could certainly have made all these points in the consideration stage Now we are in the third reading. The hon. Member should briefly state why this ought to be rejected.

Shri H. N. Mukerjee: I am afraid in all human discussions, a certain amount of repetition is unavoidable.

I merely want to make this point. While in regard to the working people who are offering support to the Plan, you show them the big stick, as far as the saboteurs are concerned, as far as those who hoard the food which should go into the mouths of the people are concerned, you let them go scot-free That is the kind of thing that is going on That is why we find that this is a kind of Bill, which really goes against the grain, which we cannot accept We are bound to say, in spite of the Home Minister's attempt occasionally to sugar-coat the very bitter pill by saying that he is very sorry he has to bring forward this kind of legislation, we cannot understand why Government persists in it

What is the intention of the Government? Rajya Sabha is not in session. We are passing this Bill; Rajya Sabha

[Shri H. N Mukerjee]

comes on the 12th of this month Either you intend to go over there, have it passed, then get the President's assent and enact it into law, if you do that, you will be doing something which is extremely dangerous to the liberties of the country You would be creating a situation where the common people, the working people, would have no heart in the execution of the Plan, and that is a responsibility which you cannot get away from Otherwise, what is your intention? Do you want this House to give a kind of moral sanction to your formulation of an ordinance, which you would promulgate before the 12th of this month? That is a fantastic proposition To ask this House at this rate to pronounce its views, without really careful consideration of this matter, is absolutely fantastic

From both these points of view, this is an extremely ill-advised piece of legislation Besides, it is completely pernicious and dangerous to all that we hold dear Therefore, I feel, if we are to be honest to our responsibility to our people, surely we should throw out this Bill But I know very well that in this House we are more or less gagged and bound with certain restrictions (*Interruptions*) and that is why this kind of vile and evil measure will be put on the Statute Book by the guile of the Home Minister

Pandit G. B. Pant. I had no intention of making any remarks at the third reading stage I thought that during the last 10½ hours, we have had enough opportunity to give expression to our views Prof Mukerjee has spoken with his usual vigour His rhetorical speech has been listened to by everyone of us with great interest. I can only say that no one will be more happy than myself if no occasion for the application of this Bill arises at all whether now, or tomorrow or in the course of the life-time of this Bill

We have introduced this Bill not with a negative purpose, but in order to ensure the maintenance of essential services That is the objective and that is a position one Is there any Member in this House who can imagine with equanimity the prospects of the posts, telegraphs, telephones and aviation services and others associated and allied with them being completely suspended? What will be the state of affairs then? I should like hon. Members to envisage such a situation and then just to form their own opinion about the urgency and the inevitability of a measure of this type If such a contingency does actually happen, all normal life will be paralysed.

Even Governmental business will go to pieces We will not be able to receive messages from starving people, from flood-affected areas, from those who may be suffering from epidemics and from other hardships The calamity can well be imagined than expressed in words Can we be a party to such developments? Would it not be our duty to take as much precautionary steps as are within our reach and within our range to avert such a catastrophe It is only in order to ensure normal course of things and to reduce the inevitable hardships, inconvenience, dislocation and almost disaster that will ensue if the threats about these strikes materialise, that this Bill has been introduced.

I was glad to receive the assurance from Prof Mukerjee that he and those sitting with him are anxious to see that the Plan succeeds fully I accept what he says In view of this declaration on his part, I would expect him and those associated with him to exert every nerve and every muscle of theirs in order to maintain the essential services, so that the Plan may progress and our country may produce more and still more, in order that those who are not receiving adequate salaries today and whose wages are not quite satisfactory may get more, that their life may be enriched, that they may have more of amenities and more of comforts That is the object of this Bill.

The Bill does not apply to the working class as such. It applies only to the essential services. It does not apply to any localised service as such, but it applies to services which are spread all over the country in the remotest nooks and corners and in the biggest cities and towns. Can such services be allowed to be paralysed. How can we all be parties to it? I hope that every man who has a sense of responsibility, as Prof. Mukerjee says, and I believe everyone here has such a sense, even though sometimes one might happen to be misguided or perverted, will support this Bill, because it is the minimum that we can do, and not only support this Bill, but if occasions like this do arise, let us see that the normal life is maintained, and that minimum loss and minimum injury is caused to the country I hope that this effort will be made by every one of us, that this Bill will be regarded as a positive measure which has been introduced in an emergency in conditions which are extremely difficult and every one will support this Bill. I have little more to say.

16 hrs.

The Prime Minister made a broadcast last evening to which reference has been made. Shri H. N. Mukerjee was impressed by that broadcast. He has still some confidence left in the Prime Minister. I hope he will realise that we all are trying to do our bit under his guidance and it is our privilege to work under him as a team. It will be our endeavour to see that the minimum of discomfort and dislocation is caused to the people of the country and that maximum efforts are made for the betterment and enrichment of their individual and social life.

Mr. Speaker: The question is:

"That the Bill be passed."

The Lok Sabha divided Ayes 226; *Noes* 51.

AYES

Division No. 21] **[16.05 hrs.**

Abdul Lateef, Shri
Achar, Shri
Achint Ram Lala
Agarwal, Shri
Ajit Singh, Shri
Alva, Shri Joachim
Ambalam, Shri, Subbiah
Arumugham, Shri R. S.
Atchamamba Dr
Ayyakannu, Shri
Badan Singh, Ch
Bagdi, Shri
Bahadur Singh, Shri
Bakhwal, Shri
Balakrishnan, Shri
Balmiki, Shri
Banerji, Shri P B
Banerji,Dr R.
Bangshi Thakur, Shri
Barman, Shri
Barupal, Sri P.L.
Basappa, Shri
Bhagat, Shri B.R.
Bhakt Darshan, Shri
Bhargava, Pandit M.B.
Bhargava, Pandit Thakur Das
Bhatkar, Shri
Bhogji Bhai, Shri
Bholi Sardar, Shri
Bidari, Shri
Birbal Singh, Shri
Borooah, Shri P C
Bose, Shri P C
Brahm Perkash, Ch
Brajeshwar Prasad, Shri
Chanda, Shri Anil K
Chaturvedi, Shri
Chavda, Shri
Chettiar, Shri R Ramanathan
Chuni Lal, Shri
Daljit Singh Shri
Dassappa, Shri
Das, Shri K K.
Das, Shri M M
Das, Shri Ramdhani
Das, Shri Shree Narayan
Datar, Shri
Deb, Shri N M
Desai, Shri Morarji
Deshmukh, Shri K G
Deshmukh, Dr. P.S
Dube, Shri Mulchand
Dublish, Shr
Eacharan, Shri I.
Elayaperumal, Shri
Gaekwad, Shri Fatesinghra
Ganpathy, Shri
Gandhi, Shri Feroze
Gautam, Shri C D
Gounder, Shri K P
Govind Das, Seth
Guha, Shri A C.
Hajarnavis, Shri
Harvani, Shri Ansar
Hathi, Shri
Hazarika, Shri J.N.
Heda, Shri
Hukam Singh, Sardar
Jagjivan Ram, Shri
Jain, Shri A.P
Jain, Shri M.C.
Jangde, Shri
Jedhe, Shri
Jinachandran, Shri
Jogendra Singh, Sardar
Joshi, Shri A C
Joshi, Shri Liladhar
Jyotishi, Pandit J P
Kale, Shrimati A
Kanakasabai, Shri
Kanungo, Shri
Karmarker, Shri
Kasliwal, Shri
Kayal, Shri P N.
Keskar, Dr.
Khadiwala, Shri

Khan, Shri Sadath Ali
Khan, Shri Shahnawaz
Khedkar, Dr G B
Khimji, Shri
Khuda Buksh, Shri M
Krishnamachari, Shri T T
Krishnappa, Shri M V
Lachhi Ram, Shri
Lahiri, Shri
Lal, Shri R S
Mafida Ahmed, Shrimati
Maiti, Shri N.B
Malliah, Shri U S
Malaviya, Pandit Govind
Malaviya, Shri K D
Malviya, Shri Motilal
Manaen, Shri
Mandal, Shri J
Mandal, Dr Pashupati
Mathur, Shri Harish Chandra
Mehta Shri B G
Mehta, Shri J R
Melkote, Dr
Mishra, Shri B D
Mishra, Shri L N
Mishra, Shri M P
Mishra, Shri R D.
Misra, Shri R R
Mohideen, Shri Gulam
Morarka, Shri
Murthy, Shri B S
Muthukrishnan, Shri
Nadar, Shri P T
Naidu, Shri Govindarajalu
Nair Shri C K
Nair, Shri Kuttikrishnan
Nanjappa, Shri
Naraindin, Shri
Narayanaswamy, Shri R
Naskar, Shri P S
Nathavani, Shri
Nayar, Dr Sushila
Nehru Shri Jawaharlal
Nehru Shrimati Uma
Padam Dev, Shri
Pahadia Shri
Palchoudhuri Shrimati Ila

Panna Lal, Shri
Parmar, Shri Y S
Patel, Shrimati Maniben
Patel, Shri N N
Patel, Shri Rajeshwar
Patil, Shri S K
Prabhakar, Shri Naval
Prasad, Shri Mahadeo
Radhamohan Singh, Shri
Radha Raman, Shri
Raghubir Sahai, Shri
Raghuramaiah, Shri
Raj Bahadur, Shri
Ramakrishnan, Shri
Raman, Shri Pattabhi
Ramanand Shastri, Swami
Ramananda Tirtha, Swami
Ramaswami, Shri S V
Ramaswamy Shri K S
Rameshwar Rao Shri
Ram Krishan Shri
Rampure, Shri M
Ram Saran, Shri
Ram Subhag Singh, Dr
Rane, Shri
Ranga Shri
Rangarao, Shri
Rao Shri E M
Rao, Shri R J
Raut Shri Bhola
Ray, Shrimati Renuka
Reddy, Shri Bali
Reddy, Shri K C
Reddy, Shri Ramakrishna
Reddy Shri Vishwanatha
Roy Shri Bishwanath
Sadhu Ram Shri
Sahodrabai Shrimati
Sahu Shri Bhagabat
Sahu, Shri Rameshwar
Samanta Shri S C
Sanganna Shri
Sankarapandian, Shri
Sarhadi Shri A S
Satyabhama Devi Shrimati
Scindia, Shrimati Vijaya Raje

Selku, Shri
Sen, Shri A.K
Shah, Shrimati Jayaben
Shah, Shri Manubhai
Shah, Shri Manabendra
Shankaraiya, S
Sharma, Shri D C
Shastri, Shri H.
Shastri, Shri Lal Bahadur
Shivananjappa, Shri
Siddiah, Shri
Singh, Shri Babunath
Singh, Shri D P
Singh, Shri M N
Singh, Shri T N
Sinha, Shri Gajendra Prasad
Sinha, Shri Jhulan
Sinha, Shri K P
Sinha, Shri Satyendra Narayan
Sinha, Shri Satya Narayan
Snatak Shri Nardeo
Somani, Shri
Subbarayan, Dr P
Subramanyam, Shri T
Sultan, Shrimati Maimoona
Sumat Prasad Shri
Sunder Lal, Shri
Surya Prasad, Shri
Swaran Singh Sardar
Tahir Shri Mohammed
Tewari Shri Dwarikanath
Thimmaiah, Shri
Thomas Shri A M.
Tiwari Shri Babu Lal
Tiwari Shri R S
Tula Ram Shri
Tyagi Shri
Uike Shri
Umrao Singh, Shri
Upadhyaya Shri Shiva Datt
Varma, Shri B B
Venkatasubbaiah, Shri
Vishwanath Prasad, Shri
Vyas Shri R C
Vyas Shri Radhelal
Wilson Shri J N

NOES

Awasthi, Shri
Banerjee Shri Pramathanath
Banerjee, Shri S M
Barua Shri Hem
Bhadauria, Shri
Bharucha Shri Naushir
Chakravartty, Shrimati Renu
Chandramani Kalo, Shri
Chavan Shri D R
Dange, Shri S A
Dasaratha Deb, Shri
Dasgupta, Shri
Dharmalingam, Shri

Elias Shri M
Gaikwad Shri B K
Ghosal Shri
Ghose, Shri Bimal
Ghose Shri S
Gopalan Shri A K
Goray, Shri
Gupta, Shri Sadhan
Iyer, Shri Eswara
Jadhav, Shri
Kamble, Shri [illegible]
Kar, Shri Prabhat

Khadilkar, Shri
Kodiyan, Shri
Kumaran, Shri
Kunhan Shri
Mahanty, Shri
Menon, Shri Narayanankutty
More Shri
Mukerjee, Shri H N
Mulbek, Shri B C
Nath Pai, Shri
Nayar, Shri V P

Parulekar, Shri
Parvathi, Krishnan, Shrimti
Patil, Shri Nana
Patil, Shri U L
Pillai, Shri Anthony
Prodhan, Shri B C
Rai, Shri Khushwaqt
Rao, Shri, T B Vittal
Singh, Shri L Achaw
Sonule, Shri H N
Sugandhi, Shri
Tangamani, Shri
Tiwary, Pandit D N
Verma, Shri Ramji
Warior, Shri

The motion was adopted

Mr. Speaker: The Essential Services Maintenance Bill is passed

Some Hon. Members: Shame, Shame

Mr. Speaker: I am very glad that the debate has been carried on without bitterness Two full days have been devoted for this, elevan hours in all I am very happy that all sides have carried on the debate without bitterness

Some Hon. Member: Walk out, walk out (*Interruption*)

(*Some Members then left the House*)

DEMANDS FOR GRANTS—*contd.*

MINISTRY OF TRANSPORT AND COMMUNICATIONS—*contd*

Mr. Speaker. The House will resume further discussion of the Demands for Grants relating to the Ministry of Transport and Communications Out of the Nine hours allotted for the demands of this Ministry, five-and-a-half hours have already been availed of Three and a half hours now remain The list of selected cut motions relating to the demands of this Ministry which were treated as having been moved had already been circulated to the Members on the 2nd of August Shri Humayun Kabir may continue his speech He has already taken 46 minutes

16 09 hrs

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): Mr Speaker, I have already dealt with most of the points raised by hon Members during my speech on Saturday There are one or two points which remain and I would like to make a brief reference to them

The hon Member from West Bengal raised the question of purchase of stores by Air India International. The position is that the Air India International make all their purchases in the United Kingdom through their own organisation So far as the United States are concerned, they purchase aircraft directly, but other things they purchase through two agents

They are thinking of setting up an organisation of their own but the matter will be examined very carefully before any final decision is taken

The same hon Member referred to the question of agency commissions and said that the Corporation should undertake business directly and not through any agencies

Mr. Speaker: Hon Members will kindly see that there is sufficient quorum in the House

An Hon. Member: There is quorum.

Mr. Speaker: Let it not be so. We will have to be counting from time to time

Shri Humayun Kabir: After the excitement which has just now taken place, perhaps the reaction to these cold facts and figures will make some Members go away They want a little respite

Mr Speaker: Some must stand behind the hon Minister

Shri Humayun Kabir: The Opposition has practically disappeared I do not know why it is so but on the last occasion also when our Ministry was being discussed the same thing happened Perhaps they are satisfied with the reply and do not have to sit in the House

[Shri Humayun Kabir]

I was saying that criticism was made about the number of agencies The number has been drastically reduced There were 99 agencies before nationalisation Now there are only 46, and every attempt is made to handle traffic directly, but I would like hon Members to remember that it is a question of business economics, and in an attempt to save a small amount, we should not lose the possibility of earning large profits The agents build up business, establish firm connections and also help in developing better public relations

The hon Member from West Bengal also suggested that there should be one Corporation, and the time has come to bring together the operations of the IAC and the Air India International She made a reference to the report of the Estimates Committee, but she did not mention that the Estimates Committee itself has said that this is a matter which requires very careful consideration from the technical, operational, financial and commercial aspects The House examined this issue in detail when the Act was being passed, and it was thought that the diversity of operations of the two corporations, the difference in the nature between the internal flights and operations in other countries are such that two corporations would be necessary I may add that is the practice in the U K There they have the British European Airways and the British Overseas Airways Corporation, dealing with what may be called near-home operations and operations throughout the world

Many hon Members both in the course of their speeches and through various questions desire air connections for their areas, and generally we find that every hon Member would like that there should be air connection to his or her particular town We desire to expand air connections as fast as possible, and I am sure nobody would be happier than people in this Ministry if there is air connection between all important towns of India, but we have to think of the economics of the situation Very often traffic does not warrant it and there is not sufficient demand There are alternative methods of travelling which are more convenient, and the result, therefore, is that in spite of our best efforts, we have not been able to connect so far places like Madurai, Vijayawada, Indore, Gorakhpur or Jodhpur But when the Viscounts come and the whole route pattern is examined, we shall see if anything can be done

I can tell the House that we have taken one step recently We have written to the State Governments that if they form subsidiary state corporations or use the flying clubs or if in certain cases private operators are willing to come into the picture, we shall give every possible help in developing these subsidiary routes In this way, perhaps a large number of towns can be connected which could not otherwise be brought within the scheduled operations of the Indian Airlines Corporation

This brings me to the question of private operators and I found that several Members were very hard on them We have decided that air transport business will be a nationalised industry, but nevertheless when this matter was discussed by Parliament and certain Members suggested that even the non-scheduled operations should be brought under public enterprise, Parliament did not accept that position and it allowed private companies to operate non-scheduled flights both for passengers and for freight The Estimates Committee in their report have indicated that only about 50 per cent in fact perhaps a little less than 50 per cent of the total non-scheduled traffic in the country can be handled by the IAC or AII, and therefore independent operators have a definite place Apart from any other factor, this fact alone demands that if we are to meet the requirements of air transport in this country, the private operators must be given certain facilities. And that is, I think, the reason why the Estimates Committee have recommended that they should be given certain assurances and that every facility should be given for the development of private operations as well. I visualise that the independent operators have a definite function to perform They can serve as pioneers and open out new routes and because of the greater flexibility which such private operators enjoy, they can operate in conditions where it may be more difficult for public enterprises to function, because public enterprise is subject to public audit and many other regulations according to public standards I would also add that the private operators would help us to develop more quickly an adequate reserve of aircraft and trained personnel, and they would stand us in very good stead if any time an occasion arose from either the defence point of view or any other point of view

I think I have disposed of practically every point which has been raised by individual Members, and I would now return to the general operations of the IAC

I said on Saturday that I did not propose to discuss the affairs of the Air India International in any detail because generally Members are satisfied and we are happy and proud that one of our corporations has established such reputation in this country and outside

16.17 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

I believe that the IAC also deserve certain appreciation from the Members of this House and from the members of the public for the work that it has done. I would like to place before the House certain figures which will indicate that many of the charges usually levelled against the IAC are not well founded

I have already indicated that nationalisation has not led to any loss of efficiency or any deterioration in standards On the contrary, sector by sector there has been an improvement in performance, and if we look at either the figures of passengers carried or the volume of freight carried or mail carried from one part of India to another, we find there has been an appreciable increase

In 1956-57, the latest year for which figures are available, if we take the monthly figures, we will find that the Indian Airlines Corporation carried 20 per cent more passengers, 5 per cent more cargo, 47 per cent more mail and 22 per cent revenue-ton miles in scheduled services alone, in addition there were the non-scheduled services of IAC

It is sometimes said by some persons, and even by some persons who ought to know better, that the former companies were making profits while the Corporation has been showing only losses Any one who goes into the actual figures will find that this statement is not correct In the last complete year of private operation, 1952, we find that the companies suffered a loss of Rs 75 lakhs The operations, as I have just now indicated, have been considerably expanded, and in spite of that we find in the latest year, in spite of an appreciable increase in the number of passengers, in the volume of cargo and the mileage flown, of the exploring of new lines, and in spite of a general increase in prices throughout the world of all material connected with aircraft, the loss of the Indian Airlines Corporation is Rs 109 lakhs In other words, there is an increase in the loss of Rs 34 lakhs, but if we go into the reason why there has been this increase in loss, we shall find that these losses are due to two major policy decisions, and two other measures, which though not policy decisions, are still connected with the general policy of the Government

The two major policy decisions are firstly to provide public service conditions to the employees by giving them

[Shri Humayun Kabir]

better wages, better conditions of service by way of reduction of hours and amenities which they did not enjoy under the private corporations, also by improving the methods of training and standards of training; and secondly to operate routes which though uneconomic are necessary in the public interest.

In this connection I may refer to the fact that there was a policy decision that all State capitals should be connected by air, even though in certain cases from the purely economic and commerical point of view there would not be much justification for that

You Sir will appreciate this point m particular. Take a place like Chandigarh. You can get there in about three or four hours by car, and m any case by a very convenient night train You get into the tram after dinner and get there ,early in the morning Normally in a place like that nobody would use and transport. I have found that even in a country like the U.S A., distances up to three hundred or four hundred or even five hundred miles are more conveniently covered through rail transport than through air; and it has been worked out that very often, it is not economically convenient or advantageous to give air connections in such cases. But we have taken the policy decision, and as a result, the aerodrome has been built there, and the services are operating

In regard to the question of the improvement of the conditions of service of the employees, I would like to place certain facts before this House, because they will give an appreciation of how far the corporation has gone in improving the conditions of service of its employees. I find that the wage bill has gone up by Rs. 84 lakhs since nationalisation But I can assure the House that the figure would have been much larger, the increase would have been much greater, but for certain measures of economy which have been adopted. If we take only the staff which has been inherited, in giving them better rates of ,wages and in giving them better hours of work, an additional expenditure of about Rs. 60 lakhs has been incurred. An expenditure of about Rs. 60 lakhs has thus been incurred annually only in improving the conditions of service. In addition, about Rs. 26 lakhs is the increase due to normal annual increments in the scales and the consequent increase also in the contributions to the provident fund.

If we take only these two figures, that is, Rs. 60 lakhs for improving the conditions of service, and Rs. 26 lakhs, which is the result of normal annual increments, they alone give us Rs. 86 lakhs. And apart from them, because of the increased operations, because of the new aerodromes, because of the new lines and the new centres which have been opened, additional people have also been appointed. Therefore, the increase would have been much greater, but it has been kept within Rs 84 lakhs because of economies which have been effected.

Shri Ranga (Tenali): What are the new lines that have been opened, and what are the new capitals that have been connected, excepting Chandigarh?

Shri Humayun Kabir: Bhopal also.

Shri Ranga: Bhopal was there long ago

Shri Humayun Kabir: The service, which went to Madras earlier used to go through Bhopal. But afterwards, it was discontinued because of the lack of traffic, but it has again been reintroduced after Bhopal became the capital of Madhya Pradesh.

Shrimati Ila Palchoudhuri (Nabadwip): What about the pay and conditions of service of the air hostesses I think their pay has gone down.

Shri Humayun Kabir: I do not have with me the figures for each particular category. But I have been given the figures that for anyone who drew a salary of less than Rs 500 at the time of nationalisation,—with only 40 exceptions out of a total enrolment roll of 6 000—there has been material benefit If that is so, I am sure, the air hostesses also must have benefited in salary It may be that one or two persons may not have benefited, but I have been told, only 40 persons out of a total enrolment list of 6,000 are exceptions The figures, especially, in the last grades are, I think, quite striking

Shri Ranga: What about passenger conveniences? There has been no improvement there

Shri Humayun Kabir: The hon Member was not present here on the last occasion when I dealt with this question in greater detail, and sector for sector, I do not think there has been any deterioration You cannot compare the service in certain areas, let us say, of North Bengal or Assam with the service between Calcutta and Bombay, or Delhi and Bombay or Calcutta and Delhi Sector by sector, there has been improvement I do not think that any hon Member can question that And generally it has been accepted by whoever has compared the conditions and not gone only by general impressions

I would not like to go into very great details in regard to this matter But I would like to give only two figures I have given the House figures on Saturday last about some of the higher executives and how there has been reduction in the number of the higher executives and also in the emoluments of a large number of the higher executives

It is in the lowest grades that the greatest improvement has taken place. Before nationalisation, the wages for the lowest-paid group of employees in the Air India, which was one of the better employers, started at Rs 39 It was lower in most other companies. Even with the dearness allowance, with the exception of two or three companies, generally, the total emoluments did not exceed Rs 50, and in certain areas like Calcutta and elsewhere, it was less. After nationalisation, Rs 52 is the basic minimum wage for Calcutta, Bombay, Delhi, Madras and Hyderabad and Rs 50 for all other stations; with dearness allowance and other allowances, the total emoluments come to Rs 99 in Calcutta, Rs 103 in Bombay, Rs 97 in Delhi, Rs 92 in Madras and Hyderabad, and in no case are they less than Rs 80, even in the smaller towns

I am sure that hon Members will appreciate that here there has been appreciable improvement They wanted improvement in the lowest scales of the ladder That has been achieved

As I said earlier, certain routes are being operated, which do not recover direct costs I have given a list of them to the House on an earlier occasion I do not say these things in order to justify everything which is being done, or for a moment to suggest that there is not room for improvement There certainly is room for improvement, but I want this House to give a feeling of confidence to the IAC that the IAC have the support of this House and they can go forward and make even greater improvements

I shall put the thing in another way The IAC had a loss of about Rs 109 lakhs in the last financial year, that is, in 1956-57 But as against that, the IAC paid by way of excise duty and sales tax Rs 112 lakhs As against a total loss of Rs 109 lakhs, it has paid by way of excise duty and sales tax alone Rs 112 lakhs

Shri Ranga. Every business has got to pay that The IAC is no exception

Shri Humayun Kabir: When you compare with the private lines before 1952, you will find that they

[Shri Humayun Kabir]

used to get a rebate on petrol If that rebate were reintroduced today, the IAC's position would be completely different. And what I have been pleading is—and I would expect the support of this House, the Estimates Committee have also recommended to the same effect—that since all the losses of the IAC are covered by Government, perhaps, some rebate in the fuel tax would be a better way of encouraging the IAC, because if on your books, you show year after year, a large amount of losses, it demoralises the administration, it demoralises the employees, and there is a general sense of loss of support

Shri Ranga Just jugglery of figures

Shri Humayun Kabir It is a jugglery of figures It is a book transfer If it is to be a book transfer, it is far better it should be done in a straightforward manner, so as to cover their losses I personally think that it would be much better to give a definite time-limit and say 'We shall give you the rebate, but within a certain fixed period of years, the IAC must so reorganise and so develop that even, if the rebate is withdrawn, after that period, the IAC can go on This is the more necessary, in view of the new operations which will be undertaken from some time in October or November this year

The Viscount services are being introduced in response to public demand for better amenities and better services, if we are to compete with some of the airlines operating in our neighbouring countries these are necessary But these Viscounts will also mean a huge capital investment The total cost will come to something like Rs 5 to 6 crores, that will be the purchase price of the ten new Viscounts with the accessories So next year, there will be a depreciation figure of almost Rs 50 lakhs added to existing amount set apart for the depreciation The new petrol taxes may mean another Rs 30 lakhs or so Therefore, the IAC may have to face a great additional burden Unless we do something about it and give the IAC relief by way of rebate on petrol tax, we cannot demand from them that energy and that enthusiasm in reorganising their house and setting it in order, which we have a right to expect

Very recently, I had the opportunity of discussing this with some of the general employees, while addressing the Union of the Airlines Corporations Employees They said they were willing to produce more, and give a guarantee of increasing the production, but it was constantly held against them that there were these great losses

As I have just now indicated to you, and as hon Members, I am sure, will agree, these losses are mainly losses in book transfer Taking all these factors into consideration, the difficulties IAC had about integration of eight different air services, the difficulties they had in bringing some kind of order out of the chaos which they had inherited, taking all these things into consideration and also the fact that many of the people who undertook these operations did not have very much of business experience before, I think I would be right in saying that this House ought to congratulate and not condemn the office bearers of the IAC for the way in which they have carried their burden

Every encouragement given to them will enable them to make greater efforts I hope that when we come before the House next year, if we can get some concession by way of rebates in the petrol duty, perhaps the picture will be rosier than I have been able to present till now

I have listened with very great interest to the criticism and suggestions made by hon Members and I am very grateful to them because the criticism has throughout been friendly and constructive, and such friendly and constructive suggestions are always welcome and helpful. I am also very grateful to the Chairman and Members of the Estimates Committee for their very valuable report. They have gone in great detail into the question of the operation of the two Corporations and generally the development of the aviation industry in this country. Everyone of those suggestions will be examined carefully, and we welcome all those criticisms and suggestions because, as the ancient saying goes, friends warn and criticise while enemies strike.

Shri Y. S. Parmar (Mahasu): Mr. Deputy-Speaker, Sir, I rise to support the Demands for Grants under the control of the Ministry of Transport and Communications.

Shri Radhelal Vyas from Madhya Pradesh made a reference the other day to the effect that he was happy that the States Reorganisation Commission had brought about the integration of a number of States which was to the benefit of the people and according to their wishes I join issue with him. I am also happy, though for other reasons, that the small area of Himachal Pradesh, according to the wishes of its people, has been allowed to remain as a separate entity of course under the care of the Centre Not that it completely meets the wishes of the people because on two vital matters, it has not been possible under the circumstances in which the Government of India was confronted at the time, to fulfil them This retention has been achieved at considerable cost, for remaining separate has seen the denial of a Legislative Assembly to that area, as also rationalisation which the people had demanded in that part of the country.

However, I am obliged—not only I, but the people of that area are obliged—to this hon House as also to the Union Government for having paid heed to their wishes and given them a chance to progress and come up to the standards of the neighbouring and other progressive parts of the country. I hope that even what has not been possible to obtain may, in due course, receive the attention of this House as also of the Government.

There has in this respect been severe criticism at certain hands for a charge is levelled that while retention as a separate entity has been possible, the democratic rights of the people have been handed over to the Government of India, with the natural difficulties that are bound to arise I am not here to defend that matter, but I am just introducing it as a subject because it has a definite relation particularly with the Ministry which is under discussion

It is to a certain extent true that we have felt, as at one time was the strategy of the Maharashtrians in the days of Tippoo and Pindari, that "one who fights and runs away lives to fight another day but one who is in battle slain can never rise to fight again." If a decision had been taken that the State shall be merged, then the question of the progress which that backward area needed, would have gone into the background That being so, there is a definite responsibility cast on this House, for the progress and development of this area, this House will have to devote greater attention because the people there do not have any other form to discuss even matters of public importance which concern development and progress

Mr. Deputy-Speaker: He should come to the Transport and Communications Ministry now. So much of introduction would be enough.

Shri Y. S. Parmar: I have finished with that

I said that this Ministry comes particularly into the picture for the development of any backward area, be it Himachal Pradesh or any other, in the country depends mainly on roads Roads, roads and more roads is all that these areas need. It is gratifying to find that during the First Five Year Plan, the road construction programme in Himachal Pradesh received proper attention not only at the State level but also at the hands of the Central Government. Though

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originally only Rs. 1 crore and 10 lakhs had been allotted to the State, as time progressed and the State was able to evolve a machinery and get technical personnel, big and small—right from the Chief Engineer, to Superintending Engineers, Assistant Engineers and Overseers—a proper organisation was built up to handle the rising demand of the department, and finally in the first five years, if I am not wrong, instead of the original sanctioned amount of Rs. 1 crore and 10 lakhs, the State could spend Rs. 2 crores and 40 lakhs.

For the next five years—if I recollect correctly—Rs. 5 crores had been allotted in the Second Plan. I was trying to get hold of the Second Five Year Plan for Himachal Pradesh in the Library here, but I am afraid neither the Second Five Year Plan, nor the First Five Year Plan of Himachal Pradesh, nor the budget for the last year that is, 1956-57, could be had. So I am not quite sure whether my figures are correct. However, I have an impression that in the Second Five Year Plan a provision for 1000 miles of new roads had been made. 1000 miles of motorable roads had already been taken up for construction in the first five years, and another 1000 miles of new motorable roads were to be taken in hand now, as also the maintenance and improvement of the roads which were already existing.

For this purpose, Rs 5 crores had been proposed and probably sanctioned in the Second Five Year Plan, I am, however, surprised to find in the budget that there is a provision only of Rs 32 lakhs in the first year of the Five Year Plan. The total provision according to the Second Five Year Plan which I find here is about Rs. 4,52,00,000 or thereabouts.

Even accepting that the least that could be expected to be spent in the first year should have been Rs. 80 lakhs. For reasons which the hon. Minister of Transport may be able to state here, the original provision of Rs. 1 crore has in this case been brought down to Rs. 32 lakhs, which certainly is a big fall, especially when we remember that in Himachal Pradesh, the greatest stress and importance has to be laid on the construction of motorable roads. I do not want to bother this House or the Minister at this time by mentioning the different road construction programmes which have to be completed within the five years of the Second Five Year Plan out of which one year has already passed. It is of very vital importance to that State that the road construction programmes are not in any way stopped, delayed or slowed down

My surprise is all the more when I find that in the Demands for Grants some of the other departments seem to have received a rather high percentage, and a definite increase is visible in the unproductive departments of the State In the case of general administration from Rs. 13,50,000 the Demands for 1956-57 have gone up to Rs 34,95,000 for 1957-58. In the case of administration of justice from Rs 2,18,000 it has gone up to Rs. 5,38,000; in the case of the Secretariat from Rs 5,80,000 to Rs. 13,10,000 and in the case of Police from Rs 12,67,000 to Rs. 35,41,000, an increase of nearly 300 per cent in the case of some and near about that in the case of others

I learnt of this position when I was in Simla and I discussed this matter with the administration there. I am glad that some officers from the Himachal Pradesh Administration came to the Transport Ministry here as a result of which the Demand has been raised by another Rs. 48 lakhs thus making a total of Rs. 80 lakhs in all But, there is something in the communique which appeared in that connection. It has been stated that to maintain and improve the roads the programme of administration had to be amended to that effect, and for that purpose Rs. 48 lakhs had been sanctioned recently by the Government of India.

My submission to the hon. Minister is that as far as the road construction programmes are concerned, there should not be any cut In the matter of effecting economy, certainly Himachal Pradesh cannot keep itself out of it, it will have to share with other States But, instead of cutting down road construction programmes economy can be effected in the other departments where the percentage of expenditure has gone up by nearly 300 per cent or so If necessary, savings can be made there Road construction programmes in Himachal Pradesh should not in any way be allowed to be disturbed This has caused a very great alarm, and I thought I should bring it to the notice of this House and the hon Minister

There are certain areas which are very inaccessible During the First Five Year Plan road construction had just started in those areas which are inaccessible They may be taken up at once, at least the tehsil headquarters such as Chopal and Kharsog, where there are absolutely no means of communications and people remain cut off from the provincial or district headquarters for a major part of the year may be connected with roads during these five years That will remove a very great complaint which the people of that area have

While talking of road construction programmes, I may just in passing also draw the attention of the hon. Minister to the nationalised road transport There is no doubt that ever since nationalisation was taken in hand in the matter of road transport in Himachal Pradesh the passengers have received a very great benefit And this has helped the movement of the people from one place to the other and make it easy and quick There are certain matters in that connection which can be looked into, namely, in the matter of reservation of seats and numbering them Such and other minor matter can be decided upon without difficulty But in the matter of goods traffic, there has been a very serious complaint some of which were brought to the notice of the Transport Minister when he went to visit Himachal Pradesh about a month ago I do hope that he will see to it that facilities are offered, especially in the matter of vegetables such as peas and also seed potatoes, apples and all that, which have to be transported from the interior to the headquarters at Simla or Mandi or Nahan Facilities are to be given to lift whatever quantities are available and it should not be insisted upon that full wagon load have to be booked before any transport is made available to the people It has caused real hardship to the grower and it does not do any credit to the Transport Department at all

Similarly, in places like Rampur which are rather away, at the other end, bottle-necks appear quite often and attention is required in respect of such places also

A word about tourism may not be out of place, particularly in a State like Himachal Pradesh There, something has been done, probably more than what was expected, and it cannot be denied The rest houses, etc, have been furnished, arrangements for blankets, eatables, bedding, etc, have been made But some financial help has to be given to the small hotels and keepers where middle class tourists can go and stay In the rest houses which are managed by the Government itself only a particular class of people can stay and the middle class which is growing in number and which should really be able to go and take advantage of that hill climate, are not able to stay there So, facilities for them have to be provided and as such, hotels have to be subsidised.

Mr. Deputy-Speaker: The hon. Member's time is up

Shri Y. S. Parmar: A little more time may be allowed This is the only forum that I can have I would not take very long

[Shri Y. S. Parmar]

For some years, the Himachal Pradesh Government had been recommending to the Ministry of Transport the matter of putting up a ski lift for various winter sports which have become quite an attractive feature in Himachal Pradesh, and a lot of people from the plains come there not only to see these sports but also to have an idea of the snows and see some of the skills in skiing in our country. People from distant places come to see this. But one thing which bothers especially the people from the plains is the steep climbs particularly in places where the winter sports are held. It is not only the climbs but the snow also, which together make it difficult for the tourists to get to the slopes. One cannot get up the climb or come down the slopes unless one gets accustomed to the snows and the steep heights. There has been a proposal that a ski lift should be put up at Kufri where winter sports are held so that all the people from the plains can come up and watch the sport. Generally in winter and even in summer, when there is neither snow nor a sport, people can come for a picnic and get to the Mahasu peak and have a beautiful view of the snow and wonderful scenery of the Himalayas. It will be something which will thrill them. Unless this ski lift is provided, I am afraid they just cannot reach that place. If that is done, it is bound to attract a lot of people, young boys and girls, from all over the country. This proposal requires a very sympathetic consideration at the hands of the Government.

Similarly, we should also provide a permanent ice skating rink in Simla. This will provide very great entertainment and sport even in summer to the young boys and girls. Young people from the south and Bombay particularly, could then go over to Simla and enjoy not only the beautiful scenery of the hills and mountains, but also spend some time on the skating rink. These are the few points I wanted to submit to the House. And with these words, Sir, I close.

Shri Goray (Poona): While moving my cut motion to the defence demand. I had pointed out that our expenditure on the three wings of defence was lop-sided. I would like to level the same criticism against this demand of the Ministry of Transport and Communications. When we are thinking of the next Five Year Plan, we must see to it that we do not develop only our railways, but also the other means of communication and transport.

The Five Year Plan has very clearly stated that we shall have to cope up with nearly 60 million tons of additional traffic during the next five years in addition to the present traffic of nearly 120 million tons. In the same paragraph, the framers of the Second Plan have stated that the railways that we can hope to build up and the railways that we have just now are not in a position and will not be in a position to cope up with all the traffic. They have said that neither the goods nor the passengers that we are likely to handle can depend entirely on the railway transport that this country can afford. They have said that most probably other means of transport will be needed. In the light of this, let us try to find out whether we have a national transport policy.

I would like to point out in this respect the opinion expressed by the Estimates Committee in its sixtieth report wherein it says that there is nothing like a national transport policy so far. The exact wording is,

> "Roads, inland waterways, coastal shipping and railways have, therefore, to be developed simultaneously as complementary means of communication in the country."

But the simultaneous development has been neglected. Later on it says:

"The necessity for such a policy is clearly brought out in the following words in the report of the study group on transport and planning submitted as recently as in 1955 "Though some measures have been taken and policy statements made from time to time regarding the importance of developing other means of transport, no definite policy giving due recognition to the part to be played by road transport, inland navigation and coastal shipping has been finally adopted by the Government" If we compare the figures of expenditure on railways in the next five years and the expenditure that we are going to incur in the building of our roads and developing our inland waterways, it will be seen that it is a lopsided policy We are almost neglecting this particular branch of transport roads, as well as internal waterways as also harbours and ports It is worth while to turn our attention to what is happening in Europe Economic development in Europe in post-war years has been reviewed by a Committee of the United Nations It has brought out a bulky volume dealing with the year 1956 It is found there that in Eastern Europe, particularly, they have made it a point to develop road transport to such an extent that in Italy, 67 per cent of the total inland transport is carried by road In Denmark, the average is 64 per cent In U K the percentage is 38 Road transport not only helps the railways and the nation by bearing the responsibility for a major portion of the traffic, but it also does some other valuable work In this regard, the example of the United States has been cited in this report I think a few lines will bear reading They say

"There is a clear tendency for large-scale industries to move away from the big towns and set up in less congested regions and a tendency for large firms to break up their production into several independent branches which have been located far from each other Extensive shopping facilities have also been built up in suburban areas where space is available for parking motor vehicles"

This aspect of road transport will also have to be borne in mind when we are working for an industrial economy and when we think of cities like Bombay, Calcutta, Madras and Kanpur, which are growing bigger and bigger every day, with the attendant inconveniences and problems which are very difficult to deal with. I suppose good roads will be able to disperse the over-crowding that is taking place there Therefore, I submit that more attention will have to be given to the development of roads in this country

Just now, my hon friend pointed out that Himachal Pradesh is a neglected area I come from Maharashtra A similar situation exists there When I suggested to the Railway Minister that a railway line was necessary there, he frankly pointed out that it was not possible to build a railway there not only in the next Five Year Plan, but, perhaps, in the Plan next after There will be no railway for the western coast

I turned the pages of the report of the Estimates Committee and I found that they had recommended and the Government had also taken a decision that a very good road would be built from Bombay to Mangalore But I do not know what has happened to the scheme Most probably the west coast people are very unlucky They are not going to have a railway, and most probably they are not going to have a good road also Therefore, I would like to point out that this road system throughout the country and particularly in regions which have to keep in contact with each other should be developed.

17 hrs.

Now, I would go to the next point which is inland water transport.

[Shri Goray]

The story of inland water transport is really a story of very grandiose schemes and very pitiable performance. The improvement of inland water transport or waterways has been recognised over a period of nearly a century. When I was turning the pages of this committee's report, I found that as long ago as 1828 one Mr. S. T. Princep who was at that time the Secretary of the East India Company pointed out the importance of the Ganges and at that time he calculated that there were nearly 60,000 boats plying on that river. Then this question was taken up by Sir Arthur Cotton in 1862. It is again mentioned by John Bright, a friend of India, in 1878, and Romesh Chandra Dutt said because the railways were given importance out of all proportion, it was not possible for the Government to take up inland waterways.

I think after the advent of *swaraj* there is no reason why we should give the railways primary importance, though, of course, railways are important. Whenever we think of transport, we should not think of the railways alone. They have been given an importance which is out of all proportion. I think the railways should be considered as a part of the whole system, and the railways, the road system, the inland waterways system and the coastal system should all be simultaneously developed and due importance should be given to them.

The inland waterways system was reviewed by one Mr. Suri who was brought here as an expert, and he submitted his report in 1952, and we find the committee remarking here:

> "The committee note with regret that the information collected was not put to any useful purpose in that no perspective plan has so far been drawn up by the Ministry regarding the development of river navigation in India, which no doubt is a difficult and hard task, though it has possibilities of achievement at a time when it is most needed to supplement other means of transport which are strained to the utmost at this moment."

So far as this inland waterways question is concerned, I would draw the attention of the Ministry to the fact that in France out of the total transport tonnage, 16 per cent is handled by the internal waterways. This proportion rises to 20 in Germany. Similar percentages can be given for other countries, especially the U.S.A. where they have linked up the great lakes by canal. There you will find that a lot of transport is handled by waterways and also by roads. This question, therefore, is in my opinion of very great importance, when we are thinking of developing our country generally, and particularly the tract stretching from former Vindhya Pradesh to Calcutta. We have been thinking of setting up steel mills and plants of various kinds, and it is quite possible that during the next five or ten years, this particular tract becomes the Ruhr of India.

Fortunately, you will find that the scheme suggested for the inland waterways connection with Calcutta can be linked up with the Gulf of Cambay, if we join the Ganga and the Narmada. I do not know how far that scheme has been surveyed, and how far any planning has been done. There was which another scheme also suggested that from Calcutta down to Madras, and from Madras, round the Gulf of Manner up to Mangalore, there could be a continuous waterway. I do not know what has happened to that. All that I want to say is that all the while we have been stressing the need for development of the railways, but so far as the development of our waterways and road transport is concerned, we have been rather negligent.

I now come to shipping. I find that shipping has received a very stepmotherly treatment throughout. Even the Plan says that after the completion of the Second Plan, we shall have only about 9 lakh tons. This target seems to be so small. It is such a niggardly target that I do not think that a country of the dimensions of India, with a long coast-line, and with so many major and minor ports should even mention this target. 9 lakh tons is hardly a target to be mentioned in the Plan.

I say this because when I turn to other countries, I find the position is somewhat different. In Italy, in 1955, the tonnage was of the order of 39,11,000 tons as against 29,70,000 tons in 1951, which means there was an increase of 34 per cent. In Germany, there was an increase of 157 per cent from 10,30,000 tons to 26,53,000 tons. In Japan, the increase was 71 per cent. In India, on the other hand, we crawl from 3,90,000 tons to 4,80,000 tons, which is an increase of just 20 per cent. Now, the target that we have fixed for ourselves is only twice the target that we had attained in 1955.

We have said very plainly in the Plan that we shall be handling about 15 per cent of the overseas traffic and 50 per cent of our coastal transport, Beyond that, we do not even dream. I suppose that so far as shipping is concerned, if countries like Japan and Germany which were completely destroyed during the war could make such a headway, I think we should take a leaf out of their endeavour, if not to surpass them, at least to compete with them in regard to percentages.

My hon. friend pointed out the other day—I think it was Shri Raghunath Singh—that shipping has become a sort of a weak point, so far as our economy was concerned. We are depending every time on other countries. We want food, but still we have not the bottoms through which we can transport the foodgrains to our coasts. Sardar Panikkar has very pointedly drawn our attention to this aspect, and I feel that this neglect of the mercantile marine is likely to prove very dangerous; if tomorrow a calamity like a world war takes place, what will happen to us. We are importing oil, we are importing foodgrains, and we are importing heavy machinery, and for everything, we have to depend on foreign countries, not merely for the goods but even for the transport. I think that is a very dangerous situation. We are planning, and our targets have been fixed pretty high, but we have not taken care to see that so far as transport is concerned, we should become independent of other countries. Any day any country in the world which is providing us with vital materials can strangle us; they can say that they have not the ships to transport the goods we have bought. They may say: 'If you want the goods, you can certainly have them here; but we have no transport for you'. Therefore, I want that even shipping should be given more attention.

About civil aviation, my hon. friend has defended his department very ably, no doubt. But I would just like to mention one thing. Before nationalisation of civil aviation, what was the expenditure on overheads? It has been pointed out that at that time that particular branch of transport, civil aviation, which was managed by private companies, was running at a loss. There was a committee of inquiry and it pointed out that unless the expenses and overheads were curtailed, civil aviation would not be a success. At that time, the company which was in charge of it had stopped all increments and recruitment and tried to slash the expenditure as much as possible.

But what happened later? As soon as nationalisation took place, money ceased to be of any concern. Immediately we find that the heads of various departments in civil aviation began to draw salaries which, I suppose, are twice the salaries of Ministers. Now, is it really desirable or is it really necessary that a nationalised industry should be so free with its own money?

[Shri Goray]

The same thing has happened about other things. Vast palatial buildings are being built. There is no reason whatsoever for going in for such expenditure. I would not like to say that we should not have our own planes; I do not say that we should not have our national service. We should have it; we are proud of it, and we do not want to see India lagging behind other countries. But after all, we must also remember that nationalisation does not open the door to waste of money. But that, I suppose, is exactly what has happened in the civil aviation department, whether it is international aviation or it is internal aviation.

Therefore, I would request that roads, inland waterways, harbours and shipping should get more share from the budget, and civil aviation which we have nationalised, should be run on a more economic basis.

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): Mr. Deputy-Speaker, Sir, I think I should begin by taking up a subject and a department with which I have had associations extending over a period of the last six years. And I do so because during these last six years, from year to year, I have had the privilege of participating in the budget discussions and listening to the suggestions and criticisms of Members. From year to year, the workers of the P. & T. department got encomiums from all corners of the House. I have been a witness to that thrilling drama in this House when from Members of all sections and groups we had nothing but praise for the workers. It is a somewhat tragic irony of fate that this year's discussions have been overshadowed by a strike threat by a section of these very workers. And, if I may digress a little here and just point out how all this situation has developed, and whether the criticism that has been levelled at the Government can be borne out or not, on facts, I think I will be doing only a duty.

It has been mentioned that we have been rather slow and tardy so far as the negotiations with the workers were concerned in regard to their demands. It has also been claimed or alleged that what we could have done about six months or one year before we have not done that, and it has come to this pass that the workers have given a strike notice and we find ourselves in a difficult predicament.

I will try to analyse the situation in the few minutes that I have got at my disposal this evening, by dividing the whole period into three parts, if I may say so. When we first heard the rumblings of the strike or the strike notice, it was perhaps the middle of 1955 or end of 1955; we were then hearing that at the time of the general elections this strike might come. I should say, that whatever was done by the Government in regard to the demands prior to that was the first phase and from the time when we first heard those rumblings to the actual notice of strike constitution the second phase, and, the period after the strike notice to this date forms the third phase.

I will try just to point out how much the Government has done and could do, without claiming to say that all that was done this has been sufficient, I may also just to point out that within the limitations that we have got to work under we went as far as we could. I will take back some of the hon. Members who have had close associations with the P. & T. unions and know something of their functioning, to the period when we were discussing their demands that arose out of the Central Pay Commission's Report, or out of the Expert Committee's recommendations.

I will in brief place before the House, for the consideration of the House, how much was done in regard to these demands what they cast the national exchange. I have got approximate figures to show that as a result of the application of first Pay Commission scales to the P. & T. staff as much as Rs. 3 crores by way of non-recurring expenditure was incurred and, I am told, another Rs. 3 crores—that is, along with other Central Government employees—by way of recurring expenditure. The amount spent as a result of application of the Expert Committee's recommendations comes to another Rs. 3 crores recurring. The amount which was incurred in respect of application of other demands accepted, which were either closely linked up with the recommendations of the Expert Committee or others, comes to Rs. 50 lakhs. So, it would be observed that a budget which stood at about Rs. 35 or 40 crores went upto Rs. 47 or 48 crores, in the course of the last five or seven years. The amount that has been increased in the budget on the wages is to the tune of about Rs. 6 crores non-recurring expenditure, and Rs. 3 crores non-recurring. On buildings—which mean post office buildings and staff quarters, during the course of the First Five Year Plan we have spent as much as Rs. 6·5 crores. We also know that for the Second Five Year Plan, whereas deductions have been made in regard to other items although they were equally important, so far as the provision for buildings and staff quarters was concerned we did not make any cut and Rs. 15 crores have been provided for them. I refer to buildings particularly because that was the sore point with the staff and every year we have been taken seriously to task in regard to the slow progress made in the construction of buildings. I only want to point out that so far as these things were concerned we went as far as that, and that was long before, we first heard the rumblings of the strike.

Shri Nath Pai (Rajapur): Could we have a break-up of those Rs. 6 crores; how much for office buildings and how much for staff quarters?

Shri Raj Bahadur: That can be given. As I said, this is not the first time that I refer to these things here. I have given that information to my friends of the union and other people concerned a number of times. This is the first time that I place these figures before the House, because the occasion is such that I have to do so but it is not in any spirit of saying that we have done all that should have been done. I can only say that everytime we were called to the meetings of the union, the demands and points were discussed. Here, I may further digress a little. We took a new line and established a new system or convention. Formerly, it was not customary for the officers or for the Ministers to attend the union conferences. But as I said we developed a sort of convention by which we made it obligatory upon the divisional officers to meet the divisional union every month, the circle officer to meet the circle union every month and we also made it obligatory upon ourselves to meet the central union as many times as we could. The purpose was that we should try to settle across the table any points that arise, in respect of any demands that they may have got to make, and we think that that system worked fairly well. But I may painfully add that we found that the tone and temper, especially the tone of the publication of the union began to grow harsh, or shall I say, sharp. To say the least, it could not be considered desirable.

Shri Nath Pai: In proportion to the rise in prices and the cost of living.

Shri Raj Bahadur: I will come to that, if the hon. Member is patient and bears with me. I may point out that for the first time that we had the demand of the second Pay Commission put before us was 1953 or 1954. It has been said that we have been rejecting it outright and that we have accepted it only when the threat of strike came or we came to think about it and do something about it only when the threat came. I think Shri Pai's association with the federation or with the posts and telegraphs workers is only of recent occurrence.

Shri Nath Pai: No, Sir. In 1946, I was arrested for leading a strike, by Congressmen, when the first general strike came about.

Shri Raj Bahadur: For the past six years, I have grown with the posts and telegraphs department, and out of the normal span of 30 years in the postal service, I have spent six years in the department but he did not ever come with any union and I have known these things intimately enough during the course of these six years, and let my hon. friend remember that the demand for the Pay Commission first arose, if I remember aright, in 1953-54.

I can only refer to certain relevant facts here, which are often quoted or made the basis of argument. Let us examine what was the consumer price index at that time. It being 100 in 1949, in 1953, it was 106. But in 1953, this demand was not perhaps there, I say that it began for the first time in 1954. Then the consumer price index came down to 101 and when we were confronted with this demand, we even suggested that with regard to this demand there might have been some justification. The prices were going up. But from year to year thereafter, it went down. To any student, this new index price will be a pattern. Since 1953, when it was just 106, it came down to 101 in 1954, to 95 in 1955, and so, during these periods, we said that this demand at this time was misplaced.

Then, as soon as we ourselves noticed in 1956 that the price index was going up—it went to 105—we thought about it. I shall show from the papers and the records what reply have we been giving in regard to this particular demand. This was so far as the consumer price index was concerned.

Now, I may also refer to the cost of living index. In 1953, it was 100. In 1954, it was 95. In 1955, It was 90. Obviously, I think the House will agree with me there was no case for us to consider so far as the question of the second Pay Commission was concerned, especially in view of the fact that the last Pay Commission's recommendations were implemented or accepted about the year 1949, if my memory does not fail me. It was only five or six years later that this demand came up.

Shri Anthony Pillai (Madras-North): If I may correct him. The last Pay Commission's recommendations were implemented with effect from 1st January, 1947.

Shri Raj Bahadur: It was in 1954, and that means that in less than six or seven years' time, the demand came for the second Pay Commission. We said that the effects of the first Pay Commission's recommendations were not yet fully felt; that the price index was going down. I have got the comparative figures for other countries, but I will not burden the House with those details. All I mean to say is that at that time, we could not have actually considered that the demand was appropriate or one that could be conceded in those circumstances that obtained at that time.

Then came 1956, when we found that there were certain mass signature campaigns and we were confronted with three or four unfortunate situations. There was the R.M.S. strike in Delhi; the R.M.S. threatened strike in Bombay and so on. But, as has been pointed out, the charter of demands was presented as late as August 1956. That was presented to the Prime Minister. It was sent to us for consideration and examination. That was going on, but at that time, there was no indication that they would go on strike on this point or any extreme step would be taken.

When the last annual conference of the Federation took place in Hyderabad towards the end of December, without their asking, without any pressure or threat of strike, without their making even a request for interview with the Government, I made a certain announcement at Hyderabad and this is how the journal, *The*

P. & T. Labour, which I think is the journal of the National Federation of P. & T. Employees, recorded the proceedings. On page 421 it is said:

> "The high-light of the Minister's speech was that he produced from his pocket 2 or 3 typed sheets on which certain concessions regarding the demands of the P. & T. employees had been noted down, which he read out one after the other in the meeting. Reading out these concessions, the Minister said that these concessions might not be very big as far as the demands of the employees were concerned, but in giving these concessions, the Government hoped that the spirit behind the grant of the same would be soon. These should be taken as a token of goodwill from the Government to the loyal and sincere workers of the P. & T. Department, he said."

Then the 12 concessions are mentioned one after the other. They were not ordinary demands. Some were such that they have been agitating for them for some time. One of the concessions was that the P. & T. Department would be starting soon its own medical arrangements like dispensary, etc., in 8 important cities in the country. The next concession was about categorisation of ex-State employees. I said, many categorisation cases have already been settled and rest of them will be settled within 2 or 3 months. Then I said, dearness pay will be taken into account for allotment of quarters. This was a long-standing demand. Heads of Circles have been empowered for recruitment of sons and daughters of the P. & T. employees who die or sustain injuries during work or meet with some such mishap or accident and consequently are incapacitated. Idea of creating new cadre of Assistant Inspectors of P. Os. and R. M. S. will be dropped, but there will be direct recruitment to the cadre of Inspectors of Post Offices. This was a prestige demand. We thought of creating a new cadre of Assistant Inspectors of Post Offices and R. M. S. with a view to making for greater efficiency. But when we found that our workers were rather impatient about it and felt that their promotion avenues might be diminished or reduced on account of that, we did not resitate at all and we dropped the idea of creating this new cadre. The idea of prestige, as is often boosted, never stood in our way and we always wanted to satisfy the worker.

Time in and time out, at every meeting, I remember—I have had the privilege of working with Shri Kidwai, then with Shri Jagjivan Ram and now with Shastriji—how they have felt about it. On many occasions, they have said, "I would like my smallest worker in class III or class IV to get a minimum salary of Rs. 100 or Rs. 120, but then can we afford it?" That was the attitude which the Government always had in regard to these problems. It is rather a cruel joke upon us to say that we have got no sympathy or the sympathy that we have got is only lip sympathy, that we want to dodge the workers. We have even gone out of the way and done whatever the exchequer permits us to do. Please view it with the whole background of all that has happened. Please view it with the justice and fairness that it demands and it deserves. These were some of the demands which I conceded in the last week of December, when there was no strike notice, nothing of the sort. Another concession I announced was, the scheme for providing consultative machinery so that the workers can be given a share—my words are misinterpreted here in the journal—I said the scheme for providing a consultative machinery for keeping the workers more closely associated with the administration is already under consideration. Then came the question of the Telegraph Enquiry Committee. It was also announced right there. Their demand constituted one of the items on which the go-slow movement was started. I only say this. The

[Shri Raj Bahadur]

important demands were conceded and sanctioned right at that time and there is no occasion or justification to say that we only yield to threats. In regard to the question of dearness allowance and Second Pay Commission, my own words have been quoted here I have said exactly what we have been saying that these demands can be considered along with the requirements of the Central Government employees and that these cannot be considered in isolation. We have never said that we will reject the demand for a Second Pay Commission or the demand for increasing the dearness allowance. So far as these points are concerned, I can only say this.

Then comes the period when we were having these negotiations.

Mr. Deputy-Speaker: The hon. Minister is likely to take some more time. He may continue the day after tomorrow.

17 32 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday the 8th August, 1957.

[*Tuesday, 6th August*, 1957]

ORAL ANSWERS TO QUESTIONS 7187—7222

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650.	Ariyalur Railway Accident	7187—91
651.	Salem-Bangalore Rail Link	7191—93
652.	Manufacture of Railway Wagons	7193—98
653.	Late Delivery of Telegrams	7198—7200
655.	Suburban Train Overcrowding Enquiry Committee	7200—02
656.	Lady Harding College, New Delhi	7202—04
657.	Export of *Lichis*	7204—05
658.	Railway Accident	7205—06
659.	Guna-Ujjain Rail Link	7206—08
660.	Road Transport Service	7208—09
661.	Marine Engineering	7209—10
662.	Family Planning	7210
663.	Withholding of Telegrams	7210—12
665.	Economy of Railways	7212—16
666.	Cold Storages	7216—18
668.	Co-operative Societies on Railways	7218—19
669.	Rice Godowns in Orissa.	7219—21
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5.	Train service in Assam region	7221—22

WRITTEN ANSWRES TO QUESTIONS 7222—57

S Q. Nos.	*Subject*	COLUMNS
654.	Import of Railway Wagons	7222—23
664.	Expert Committee on Sugar	7223
667.	*Kans* Reclamation Project	7223—24
670.	Dehra Dun Forest Training Centre	7224
671.	Import of Food-grains	7224
672.	Medical College for Rajasthan	7225
673.	Coconuts	7225
674.	Railwaymen's Diary	7225—26
675.	Red Rain in Kerala	7226
676.	Community Development Schemes	7226—27
677.	Desert Control	7227
678.	Price of Rice	7227—28
679.	Soil erosion in Himachal Pradesh	7228
680.	Production of Cerels	7228—29
681.	Rice for Kerala	7229—30
682.	Pakala-Dharmavaram Railway Track	7230
683.	Fertilizers	7231
684.	Ex-Saurashtra Railway Corruption Cases	7231
685.	Rural Credit	7231
686.	Workshop Reviewing Committee	7232
687.	Rajasthan Canal	7232
688.	Co-operative Development	7233
689.	Delhi-Ahmedabad Mail	7233—34
690.	Ex-States' Railway Workshops	7234
691.	Railway Service Commissions	7234
693.	Proposed strike by P & T Employees	7234-35
694.	Anti-Locust Organisation	7235
694-A.	Suraimanpur Railway Station	7235-36
695.	Increase in Freight Rates	7236-37
696	Post-retirement passes	7237
697.	Kakinada Port	7237-38
531.	Air Mishap	7238

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493	Railway Waiting Rooms	7239
494.	Imported Foodgrains	7239-40
495.	Animal Husbandry Division	7240
496.	New Railway Zone	7240-41
497	Foreign Tourists	7241
498.	Foreign Medical Aid	7241
499	Railway Over-bridges	7241-42
500	Rail Link to Tripura	7242
502.	State Warehousing Corporation	7242-43
503	Extra-Departmental Agents	7243
504	Own Your Telephone Scheme	7243-44
505	Cochin Port	7244-45
506.	Anti-Malaria Drugs	7245
507.	Coconut Oil	7245-46
508	Wheat Production in Madhya Pradesh	7246-47
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510.	Janata Trains	7248
511	Scheduled Tribes and Scheduled Castes	7248
512.	Seamen at Calcutta Port	7248-49
513.	Shipping Master, Calcutta	7249
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515.	Flies	7250
516.	Mysore Sugar Company, Mandya	7251
517.	Fertilizers	7251-52
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521.	Railway Tracks and Bridges	7254
522.	Night Train Services	7254-55
523.	Crushing of Sugarcane	7255-56

U.S.Q. Nos.	Subject	Columns
524.	Railway Wagon Supply	7256
525.	Narsapur Port . .	7256-57

S.N.Q. Nos.		
3.	Rail Link between Siliguri and Darjeeling . .	7257
4.	Dislocation of communication with Assam and North Bengal .	7257-58

PAPERS LAID ON THE TABLE— 7258-59

The following papers were laid on the Table :

(1) A copy of the notification No. S.R.O. 1808, dated the 1st June, 1957, together with the explanatory note, under sub-section (3) of section 5 of the Indian Aircraft Act, 1934, making certain further amendments to the Indian Aircraft Rules, 1937.

(2) A copy each of the following statements showing the action taken by the Government on various assurances, promises and undertakings given by Ministers during the various sessions shown against each:

(i) First Statement—Second Session, 1957 of Second Lok Sabha.

(ii) Supplementary Statement No. I— . First Session, 1957 of Second Lok Sabha.

(iii) Supplementary Statement No. III—. . Fifteenth Session, 1957 of First Lok Sabha.

(3) A copy of the Order No. 3(1) CL. VI/57, dated the 29th July, 1957 under subsection (4) of Section 89 of the Companies Act, 1956.

BILL PASSED . . . 7260—7419

Further clause-by-clause consideration of the Essential Services Maintenance Bill concluded. The Bill was passed .

DEMANDS FOR GRANTS . 7419—54

Further discussion on Demands for Grants in respect of the Ministry of Transport and Communications continued. The discussion was not concluded.

AGENDA FOR THURSDAY, 8TH AUGUST, 1957.

Further discussion on Demands for Grants in respect of the Ministry of Transport and Communications.